

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 63-21454
Date Received: 3/9/1990
Receipt No: C015451
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KAREN MOSER Phone: (208)724-1616
30280 BOULDER RD
PARMA ID USA 83660

MATTHEW MOSER Phone: (208)724-1616
30280 BOULDER RD
PARMA ID USA 83660

2. Date of Priority: 03/15/1943

3. Source: NORTH ALKALI DRAIN Trib. to: SOUTH BOISE DRAIN

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	06W	13	NE SW NE	CANYON	

5. Description of diverting works:

2 PUMPS, OPEN CEMENT DITCHES, TUBE IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.54	

7. Total Quantity Appropriated is:
0.54 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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SCANNED
APR 11 2008

05N	06W	13	SW	NE	IRRIGATION	27
					Section Acres	27
					Total Acres	27

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

CHNAGE IN OWNERSHIP LG-7-11-2006

15. Basis of Claim: Beneficial Use

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

RECEIVED

MAR 14 1990

Ident. Number: A63-21454
Date Received: 3/09/1990
Receipt No: C015451
Received By: AW

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: AGNES MARIE GORDON 208-722-6546
Address: 30280 BOULDER RD.
PARMA, ID 83660

OR
Name: CARL GORDON 208-722-6546
Address: 30280 BOULDER RD.
PARMA, ID 83660

2. Date of Priority: MAR 15, 1943

3. Source: NORTH ALKALI DRAIN Trib. to: SOUTH BOISE DRAIN

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	06W	13	NE	SW	NE		CANYON

5. Description of diverting works:
2 PUMPS, OPEN CEMENT DITCHES, TUBE IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.540		

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

8. Total consumptive use is 94.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A63-21454

Page 1

Date: 03/09/90

MICROFILMED

SEP 03 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	06W	13	SW NE		IRR	27.0
Section Acres						27.0
Total Acres						27.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1 (map)

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): X Agnes Marie Gordon Date: X 3-9-90
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of March 19 90

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

RECEIVED

APR 24 2006

WATER RESOURCES
WESTERN REGION

Form 42-32829-14 (R) July, 2000

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
(Noncompliant forms will be returned.)

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
63-21455					
63-21454 AJ					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY or SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Agnes Marie Gordon
Carl Gordon
4. New Owner/Claimant(s) Matthew and or Karen Moser
Name Change (Check one): ☐ and ☐ or ☐ initial
- New Mailing Address 30280 Boulder Rd.
- City, State and ZIP Code Parma, Id. 83760
- New Telephone Number 209 724-1616 or 724-9641
5. Date you acquired the property 3-3-06

(Form 61-20042-148) Rev. 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in Item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per month)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per month)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	

7. Signature of New Owner(s) or Claimant(s) Karen Moser
(include title if applicable) Karen Moser

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
 Received by LA Date 4-24-06 Pte 25
 Received by LA Date 4-24-06 Receipt No. W03406F
 Processed by LA Date 7-11-06 WR _____ Date _____

Form 42-3118-2-2002 AG, 2002

6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at Item 6. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). If the water right(s) will not be split, skip Item 6 and go to Item 7.
7. The new owner(s) must sign the form in the space(s) provided at Item 7. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

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

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033



LandAmerica
Transnation

TRANSACTION TITLE
REQUEST
TYPE Deed FEE 9-

BY John George
CANYON CITY RECORDER

2006 MAR 3 PM 4 07

RECORDED

(M) 200615383

mm
km

Escrow No. 0600041276 CAW

WARRANTY DEED

FOR VALUE RECEIVED

Ruth Anne Gordon, who acquired title as Ruth Ann Rodriguez, an unmarried woman

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto: Matt Moser and Karen Moser, husband and wife

GRANTEES(s), whose current address is: 30280 Boulder Rd, Parma, Idaho 83360
the following described real property in Canyon County, State of Idaho,
more particularly described as follows, to wit:

SEE EXHIBIT "A" ATTACHED
(continued)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

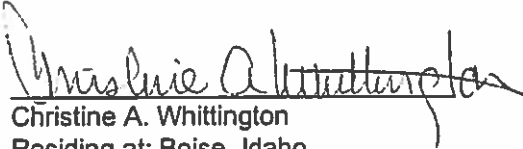
Date: March 1, 2006

Ruth Anne Gordon
Ruth Anne Gordon

WARRANTY DEED - NOTARY ACKNOWLEDGMENT(S):

State of Idaho, County of Ada, ss.

On this 1st day of March in the year of 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Ruth Ann Gordon known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Christine A. Whittington

Residing at: Boise, Idaho

My commission expires: 08/15/2008



(continued)

EXHIBIT "A"

That part of the Southwest quarter of the Northeast quarter of Section 13, Township 5 North, Range 6 West, Boise Meridian, Canyon County, Idaho, lying North and East of the centerline of the drainage and waste water ditch which traverses the said Southwest quarter of the Northeast quarter, said section, Township and Range, aforesaid.

AND

A strip of land 240 feet in width, lying within the said Southwest quarter of the Northeast quarter, particularly described as follows, to-wit:

Commencing at the Southeast corner of the said Southwest quarter of the Northeast quarter, said section, Township and Range, aforesaid; and running thence due West for a distance of 240 feet; thence North on a straight line to the centerline of the aforesaid drainage and waste water ditch; thence due East on and along the said drainage and waste water ditch to the East line of the said Southwest quarter of the Northeast quarter; thence due South to the POINT AND PLACE OF BEGINNING, all within the Southwest quarter of the Northeast quarter of Section 13, Township 5 North, Range 6 West, Boise Meridian, Canyon County, Idaho.

AND

Commencing at the Northeast corner of the Southeast quarter of the Northwest quarter of Section 13, Township 5 North, Range 6 West, Boise Meridian, Canyon County, Idaho; and running thence West 330 feet; thence South to the South line of the Southeast quarter of the Northwest quarter, said section, Township and Range aforesaid; thence East 330 feet; thence North to the POINT AND PLACE OF BEGINNING.

EXCEPTING THEREFROM the following described real property:

A parcel of land in the Southeast quarter of the Northwest quarter and the Southwest quarter of the Northeast quarter of Section 13, Township 5 North, Range 6 West, Boise Meridian, Canyon County, Idaho, described as follows:

Beginning at a point on the South boundary line of the Southeast quarter of the Northwest quarter of Section 13, Township 5 North, Range 6 West, Boise Meridian, 330 feet West of the Southeast corner of said Southeast quarter of the Northwest quarter; thence East a distance of 536 feet to the centerline of a drain ditch; thence Northeasterly along the centerline of said drain ditch 510 feet to the centerline of the Dutton Spillway and drain ditch, such point being 246 feet due East of the East boundary line of said Southeast quarter of the Northwest quarter; thence Northwesterly along the centerline of said Dutton Spillway and drain ditch to the North boundary line of said Southeast quarter of the Northwest quarter; thence due West along the North boundary line of said Southeast quarter of the Northwest quarter 100 feet; thence due South on a line parallel with the East boundary line of said Southeast quarter of the Northwest quarter, a distance of 1,320 feet to the POINT OF BEGINNING.

Issued with Policy
No.:

POLICY OF TITLE INSURANCE

SCHEDULE A

Amount of Insurance: \$150,000.00

Policy No.: A37-1009486

File No.: 0600041276

Date of Policy: March 3, 2006 at 4:07 p.m.

1. Name of Insured:

MATT MOSER AND KAREN MOSER

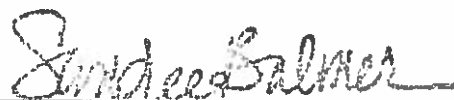
2. The estate or interest in the land described herein and which is covered by this policy is
fee simple and is at date of policy vested in:

MATT MOSER AND KAREN MOSER, husband and wife

3. The land referred to in this policy is described in the said instrument, is situated in the
County of Canyon, State of Idaho, and is identified as follows:

SEE EXHIBIT "A" ATTACHED
(continued)

Countersigned: _____



Authorized Officer or Agent
Sandee Balmer

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

EXHIBIT "A"

That part of the Southwest quarter of the Northeast quarter of Section 13, Township 5 North, Range 6 West, Boise Meridian, Canyon County, Idaho, lying North and East of the centerline of the drainage and waste water ditch which traverses the said Southwest quarter of the Northeast quarter, said section, Township and Range, aforesaid.

AND

A strip of land 240 feet in width, lying within the said Southwest quarter of the Northeast quarter, particularly described as follows, to-wit:

Commencing at the Southeast corner of the said Southwest quarter of the Northeast quarter, said section, Township and Range, aforesaid; and running thence due West for a distance of 240 feet; thence North on a straight line to the centerline of the aforesaid drainage and waste water ditch; thence due East on and along the said drainage and waste water ditch to the East line of the said Southwest quarter of the Northeast quarter; thence due South to the POINT AND PLACE OF BEGINNING, all within the Southwest quarter of the Northeast quarter of Section 13, Township 5 North, Range 6 West, Boise Meridian, Canyon County, Idaho.

AND

Commencing at the Northeast corner of the Southeast quarter of the Northwest quarter of Section 13, Township 5 North, Range 6 West, Boise Meridian, Canyon County, Idaho; and running thence West 330 feet; thence South to the South line of the Southeast quarter of the Northwest quarter, said section, Township and Range aforesaid; thence East 330 feet; thence North to the POINT AND PLACE OF BEGINNING.

EXCEPTING THEREFROM the following described real property:

A parcel of land in the Southeast quarter of the Northwest quarter and the Southwest quarter of the Northeast quarter of Section 13, Township 5 North, Range 6 West, Boise Meridian, Canyon County, Idaho, described as follows:

Beginning at a point on the South boundary line of the Southeast quarter of the Northwest quarter of Section 13, Township 5 North, Range 6 West, Boise Meridian, 330 feet West of the Southeast corner of said Southeast quarter of the Northwest quarter; thence East a distance of 536 feet to the centerline of a drain ditch; thence Northeasterly along the centerline of said drain ditch 510 feet to the centerline of the Dutton Spillway and drain ditch, such point being 246 feet due East of the East boundary line of said Southeast quarter of the Northwest quarter; thence

File No.: 0600041276

Policy No.: A37-1009486

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

Northwesterly along the centerline of said Dutton Spillway and drain ditch to the North boundary line of said Southeast quarter of the Northwest quarter; thence due West along the North boundary line of said Southeast quarter of the Northwest quarter 100 feet; thence due South on a line parallel with the East boundary line of said Southeast quarter of the Northwest quarter, a distance of 1,320 feet to the POINT OF BEGINNING.

File No.: 0600041276

Policy No.: A37-1009486

SCHEDULE B

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

GENERAL (STANDARD) EXCEPTIONS

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession, or claiming to be in possession, thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey of the land would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, imposed by the law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.
6. Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.

SPECIAL EXCEPTIONS:

8. General taxes for the year 2005, which are a lien, of which the first half is paid and the second half is due and payable on or before June 20, 2006 and not delinquent until after said date.

(continued)

File No.: 0600041276

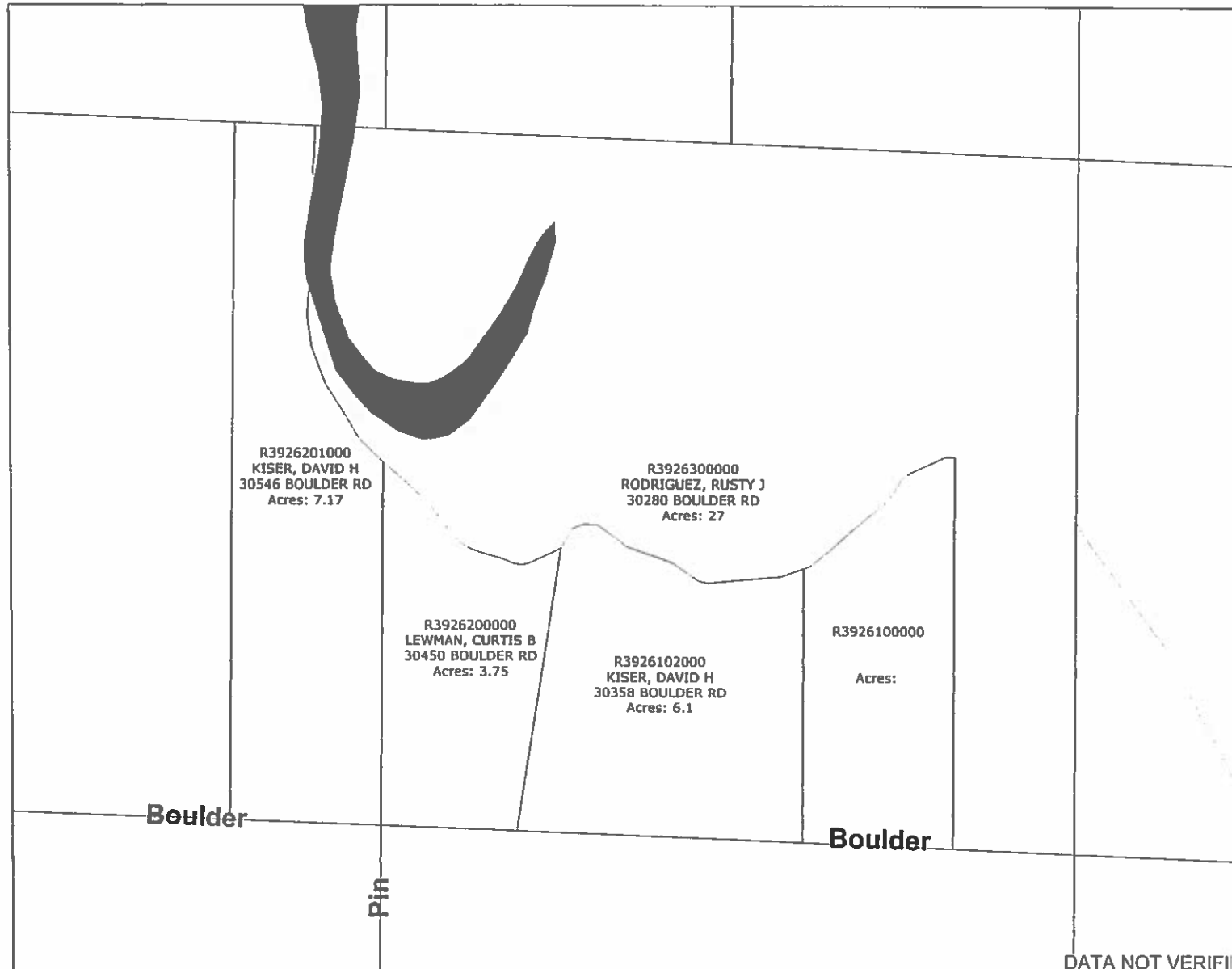
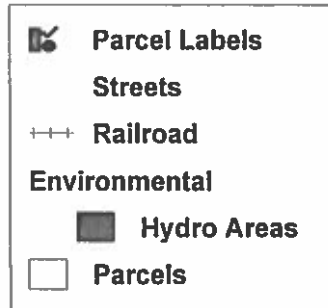
Policy No.: A37-1009486

SCHEDULE B (continued)

EXCEPTIONS (continued)

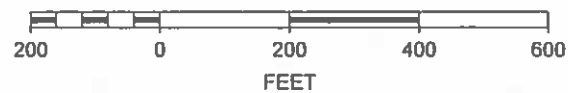
9. General taxes for the year 2006, which are a lien, payable on or before December 20 of said year and not delinquent until after said date.
10. Liens and assessments of the RIVERSIDE IRRIGATION DISTRICT, and the rights, powers and easements of said district as by law provided.
11. Ditch, road and public utility easements as same may exist over said premises.
12. Rights and claims in and to that portion of said premises lying within the Boulder Road right of way.
13. Rights and claims in and to that portion of said premises lying within the Dutton Spillway right of way.
14. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded March 28, 1947, as Instrument No. 322248, of Official Records.
15. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded April 3, 1948, as Instrument No. 336112, of Official Records.
16. An easement for power lines and incidental purposes in favor of IDAHO POWER COMPANY, recorded October 11, 1988, as Instrument No. 8820185, of Official Records.

30280 Boulder Rd



DATA NOT VERIFIED

SCALE 1 : 3,562





DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUL 18 2008

By _____ Clerk

Deputy Clerk

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

RECEIVED

In Re SRBA

Case No. 39576

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 63-21454

JUL 21 2008
DEPARTMENT OF
WATER RESOURCES

*www.wfwrk
added v-1*

A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On June 19, 2007, the Riverside Irrigation District, through its attorney Albert P. Barker, filed an objection to the *Director's Report*, asserting that the source of the water right should be described as wastewater. On July 16, 2008, the parties filed a *Standard Form 5 - Stipulated Elements of a Water Right* which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 63-21454 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated July 18, 2008



Theodore R. Booth
Special Master
Snake River Basin Adjudication

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

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

JUL 18 2008

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-21454

NAME AND ADDRESS: KAREN MOSER
MATTHEW MOSER
30280 BOULDER RD
PARMA, ID 83660

SOURCE: ALKALI DRAIN TRIBUTARY: SOUTH BOISE DRAIN

The source of this right is waste water. The wasting of water may
be discontinued at any time.

QUANTITY: 0.45 CFS

PRIORITY DATE: 03/01/1956

POINT OF DIVERSION: T05N R06W S13 SWNE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.45 CFS

PLACE OF USE:	Irrigation	Within Canyon County
	T05N R06W S13	SWNE 21.0
	22.6 Acres Total	SENE 1.6

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

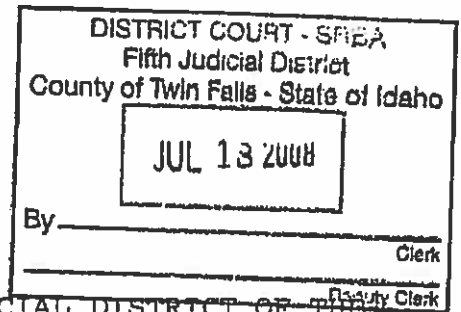
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

RECOMMENDATION

JUL 18 2008

John M. Melanson
SPECIAL MASTER



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 ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

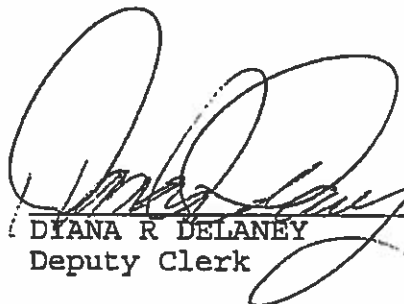
Water Right(s): 63-21454

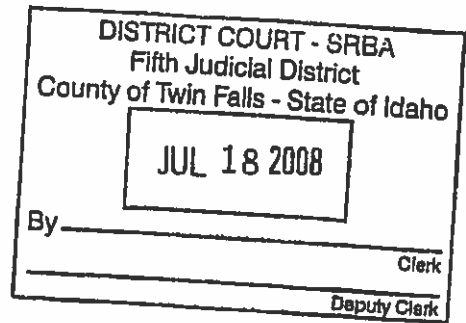
On July 18, 2008, Special Master THEODORE R. BOOTH
issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s)
pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party
to the adjudication including parties to the subcase, may file a Motion
to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate
in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION
shall constitute a waiver of the right to challenge it before the
Presiding Judge.

DATED July 18, 2008.


DIANA R DELANEY
Deputy Clerk



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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 63-21454

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on July 18, 2008, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

RIVERSIDE IRRIGATION DISTRICT

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

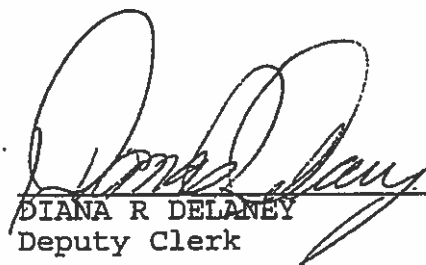
USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CERTIFICATE OF MAILING

PAGE 1
07/18/08

KAREN MOSER
MATTHEW MOSER
30280 BOULDER RD
PARMA, ID 83660
Phone: 208-724-1616



DIANA R DELANEY
Deputy Clerk

COPY

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

JUL 17 2008

In Re SRBA

DEPARTMENT OF
WATER RESOURCES

SUBCASE: 63-21454

STANDARD FORM 5

Case No. 39576

STIPULATED ELEMENTS OF A WATER
RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

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

CLAIMANT:

Matthew Moser
30280 Boulder Rd.
Parma, ID 83660

Matthew Moser 6-13-08
Date

CLAIMANT:

Karen Moser
30280 Boulder Rd.
Parma, ID 83660

Karen Moser 6-13-08
Date

OBJECTOR:

Riverside Irrigation District
P.O. Box 1080
Parma, ID 83660

Albert P. Barker 6/17/08
Date

RESPONDENT: Bureau of Reclamation

[Signature] 6/26/08
Date

IDWR CONCURRENCE:

Wick Spencer 7/8/08
Date
Wick Spencer 7-1-08

12/14/2006

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

RIGHT NUMBER: 63-21454
NAME AND ADDRESS: KAREN MOSER
30280 BOULDER RD
PARMA ID 83660

MATTHEW MOSER
30280 BOULDER RD
PARMA ID 83660

KM
man
pk
RA
NBS
VLM

SOURCE: ALKALI DRAIN TRIBUTARY: SOUTH BOISE DRAIN
QUANTITY: 0.450 CFS The source of this right is waste water. The wasting of water may be discontinued at any time.
PRIORITY DATE: 03/01/1956
POINT OF DIVERSION: T05N R06W S13 SWNE Within CANYON County
PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	0.450 CFS
PLACE OF USE: <u>IRRIGATION in CANYON County</u>		
T05N R06W S13 SWNE 21.00	T05N R06W S13 SENW	1.60
22.6 ACRES TOTAL		

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

~~This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.~~

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

CERTIFICATE OF MAILING

I certify that on July 14, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

RIVERSIDE IRRIGATION DISTRICT

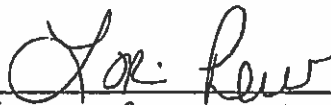
Represented by:
ALBERT P. BARKER
1010 W. JEFFERSON, STE. 102
P.O. BOX 2139
BOISE, ID 83701-2139

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

KAREN MOSER
MATTHEW. MOSER
30280 BOULDER RD.
PARMA, ID 83660

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form

RECEIVED

MAY 26 2008
DEPARTMENT OF
WATER RESOURCES

2008 MAY 23 PM 12:21
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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	)	ORDER SETTING SUBCASE(S)
	)	FOR INITIAL HEARING
Case No. 39576	)	
		SUBCASE NOS: 63-04233A 63-04233B
		63-04233C 63-21454

The Initial Hearing for this subcase will be held before
Special Master THEODORE R. BOOTH

THURSDAY, JUNE 19, 2008 at 10:15 AM (MT)
IDAHO SUPREME COURT BUILDING
451 WEST STATE STREET
BOISE, ID

ATTENDANCE IS MANDATORY. All parties are required to
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by
JUNE 16, 2008 or hearing will not be vacated.

IT IS SO ORDERED.

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Page 1 5/22/08

(continued)

Dated: MAY 23, 2008

/S/ THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING SUBCASE(S) FOR INITIAL HEARING was mailed on MAY 23, 2008, with sufficient first-class postage to the following:

RIVERSIDE IRRIGATION DISTRICT

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

MONTEVIEW CANAL CO

Represented by:
ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

KAREN MOSER

MATTHEW MOSER
30280 BOULDER RD
PARMA, ID 83660
Phone: 208-724-1616

ANITA M KISER

30358 BOULDER LN
PARMA, ID 83660
Phone: 208-722-5525

DAVID H KISER

30358 BOULDER RD
PARMA, ID 83660
Phone: 208-722-5525

CURTIS B LEWMAN

ZILLIAH L LEWMAN
30450 BOULDER RD
PARMA, ID 83660
Phone: 208-722-5772

JENNIFER G COGGINS

SCOTT A COGGINS
30546 BOULDER ROAD
PARMA, ID 83660
Phone: 208-697-4462

RECEIVED

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

FILED 10/19/07
DEPARTMENT OF
WATER RESOURCES

In Re SRBA) A. Subcase 63-21454
(Insert water right number)
)
Case No. 39576) STANDARD FORM 1
) OBJECTION
_____)

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Riverside Irrigation District
Address: PO Box 1080
Parma, ID 83660
Daytime Phone: 208-880-3449

Name & Address of Attorney, if any:

Albert P. Barker
Barker Rosholt & Simpson, LLP
1010 W. Jefferson, Ste. 102, Boise ID 83702

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

Name: Matthew and Karen Moser
Address: 30280 Boulder Road
Parma, ID 83660

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: The source should be described as waste waters, and waste waters belong to the Riverside Irrigation District.
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
- 10 ☐ **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 OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Riverside Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Riverside Irrigation District. Proposed waste water remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of IDAHO)
County of ADA)ss.

Albert D. BAKER, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

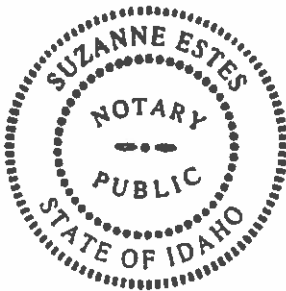
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Albert D. Baker

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 18, 2007



Suzanne Estes
Notary Public for Idaho
Residing at: Boise
My Commission Expires: June 1, 2012

INSTRUCTIONS FOR MAILING

You must mail the objection, 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.

G. CERTIFICATE OF MAILING

I certify that on JUN 18 2007, 2007, I mailed the original and copies of this objection, 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:

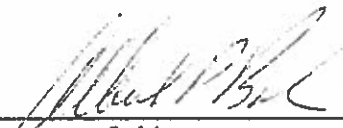
Name: Matthew and Karen Moser
Address: 30280 Boulder Road
Parma, ID 83660

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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



Signature of objector or attorney
mailing on Objector's behalf

12/10/2006

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

RIGHT NUMBER: 63-21454
NAME AND ADDRESS: KAREN MOSER
30280 BOULDER RD
PARMA ID 83660

MATTHEW MOSER
30280 BOULDER RD
PARMA ID 83660

SOURCE: ALKALI DRAIN TRIBUTARY: SOUTH BOISE DRAIN

QUANTITY: 0.450 CFS

PRIORITY DATE: 03/01/1956

POINT OF
DIVERSION: T05N R06W S13 SWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.450 CFS

PLACE OF USE: IRRIGATION in CANYON County

T05N R06W S13	SWNE	21.00	T05N R06W S13	SENE	1.60
---------------	------	-------	---------------	------	------

22.6 ACRES TOTAL

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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



Idaho Department of Water Resources

63-21454

05N 06W S13



-  POU
-  POD
-  Sections
-  Quarter/Quarter

Total Irrigated
Acres: 22.6

700 0 700 Feet



IDWR
Prepared by: Lori Graves
Date: 09-18-06
1986-87 Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-21454 V1

WATER RIGHT NUMBER: 63-21454 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	AGNES MARIE GORDON 30280 BOULDER RD PARMA, ID 83660 (208)722-6546
Original Owner	CARL GORDON 30280 BOULDER RD PARMA, ID 83660 (208)722-6546
Current Owner	KAREN MOSER 30280 BOULDER RD PARMA, ID 83660
Current Owner	MATTHEW MOSER 30280 BOULDER RD PARMA, ID 83660

Priority Date: 03/01/1956

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
ALKALI DRAIN	SOUTH BOISE DRAIN

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.450 CFS	
	<u>Total Diversion:</u>	0.450 CFS	

Location of Point(s) of Diversion

ALKALI DRAIN	SW1/4NE1/4	Sec. 13, Twp 05N, Rge 06W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	06W	13																	22.6

Total Acres: 22.6

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-21454 V1

Remarks:

Comments:

1. Igraves 9/18/2006 Field Exam
Comment: Field exam was made 8/30/06 and found one pump used for irrigation, although two were listed on the claim.
2. Igraves 9/18/2006 Flow Rate
Comment: A theoretical calculation was used to estimate pump capacity at 1.57 cfs.
3. Igraves 9/18/2006 Source
Comment: Source was clarified to Alkali Drain based on the topo map.
4. Igraves 9/18/2006 Parce No.
Comment: Irrigation is within Parcel No. R3926300000.
5. Igraves 9/18/2006 Priority Date
Comment: Priority was advanced to 1956 based on the affidavit.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 11, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Matthew and Karen Moser
30280 Boulder Rd
Parma, ID 83660

Notice of Claim to a Water Right No. 63-21454

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

COPY

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21454

WATER RIGHT NUMBER: 63-21454

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	AGNES MARIE GORDON 30280 BOULDER RD PARMA, ID 83660 (208)722-6546
Current Owner	KAREN MOSER 30280 BOULDER RD PARMA, ID 83660
Current Owner	MATTHEW MOSER 30280 BOULDER RD PARMA, ID 83660
Original Owner	CARL GORDON 30280 BOULDER RD PARMA, ID 83660 (208)722-6546

Priority Date: ~~03/15/1943~~ 3/1/1956 *based on affidavit*
 Basis: Beneficial Use
 Status: Active

Source Tributary
~~NORTH~~ ALKALI DRAIN *per topo* SOUTH BOISE DRAIN

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/45 to 11/15	0.540 CFS	
<u>Total Diversion:</u>		0.540 CFS	

.45

Location of Point(s) of Diversion

~~NORTH~~ ALKALI DRAIN ~~NE~~1/4SW1/4NE1/4 Sec. 13, Twp 05N, Rge 06W, B.M.
 CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	06W	13			27.0														27.0
Total Acres: 27			21			1.6												22.6	

Conditions of Approval:

1. CHNAGE IN OWNERSHIP LG-7-11-2006

Dates and Other Information:

Claim Received Date: 3/9/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

MEMORANDUM

TO: ADJUDICATION FILES 63-21⁴⁵⁴~~545~~

FROM: DANIEL A. NELSON

DATE: 9/12/06

SUBJECT: FIELD EXAMINATION

Burke Scholer performed the field exam on this claim. I reviewed the claim and feel everything that he found to fairly accurate. The acres he determined where pretty close, but the ArcView shape file revealed a number of acres a little less than the amount claimed and found by Mr. Scholer. Mr. Scholer determined a diversion rate of 1.57 cfs, which is more than enough to cover the maximum allowable at 0.02 cfs per acre for the 22.6 acres found or 0.45 cfs total.

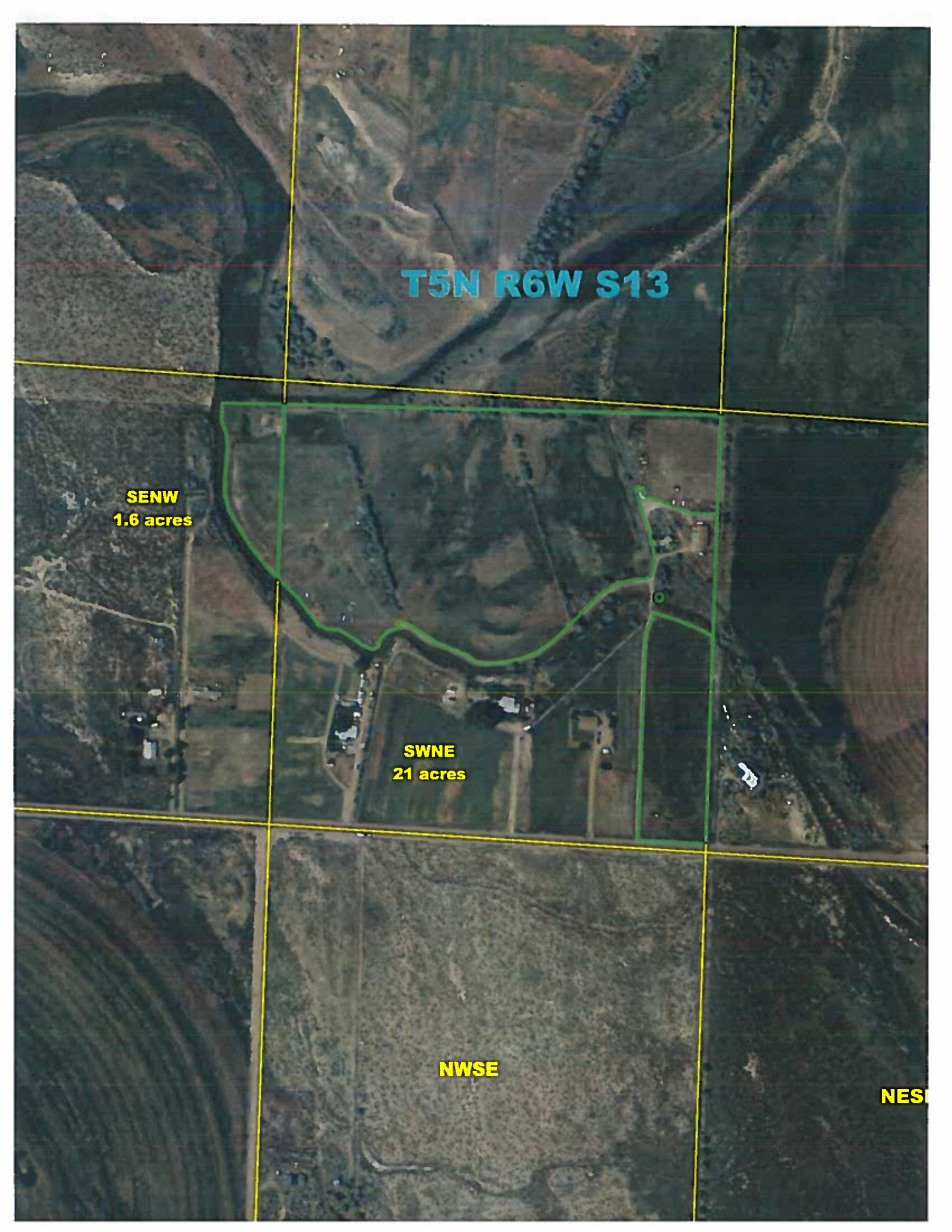
Therefore, I suggest that this claim be recommended as follows:

Source – North Alkali Drain in the SWNE S13 T5N R6W

0.45 cfs and 101.7 afa for irrigation use from 3/1 to 11/15

For S13 T5N R6W – 21 acres in the SWNE 1.6 acres in the SENW

For a total of 22.6 acres.



T5N R6W S13

SENW
1.6 acres

SWNE
21 acres

NWSE

NESE

FIELD EXAM MEMO

DATE: 7/28/2006

TO: Dan Nelson

FR: Lori Graves

RE: A63-21454

The claim says that two pumps are used with cement ditches and siphon tubes. Only one p/d is listed.

Please verify

1. P/d(s) locations ✓
2. Flow rate ✓
3. Acres irrigated as of 1987 ✓
4. If surface water shares also used NO

The new owners are Matt and Karen Moser, 724-9641 or 724-1616. Thanks Dan.

BURKE Above QAR
The special INSTRUCTIONS
FROM Agent.

THANKS



ADDITIONAL INFORMATION NEEDED FOR IRRIGATION FIELD EXAMS

Field Examiners, please complete the following checklist. Mark "unknown" or N/A if information doesn't apply or information is unavailable.

IF CURRENT OWNER DOES NOT MATCH PROOF REPORT PLEASE GIVE NEW OWNER CHANGE OF OWNERSHIP FORM TO COMPLETE.

1.) Pump information:

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
ALKALI DRAIN PUMP	DAYTON MOTOR 1730 RPM	5	6K130L	PARMA WATERLIFTER	8"

2.) Lift (distance from pump to water) 14' (6' W.S. DISCH + 8' FROM DISCH TO W.S. IN BOX)

3.) How was lift determined (well log, measurement, owner)? MEASURED

4.) Pressure against pump (this is checked using the owner's psi gauge, your gauge, or an estimate by owner) N/A

5.) Was a measurement made? NO If no can a measurement be made at a latter time? YES

6.) What type of measurement device was used? N/A

7.) Is there a pump curve available for pump? YES FROM PARMA CO

8.) Please fill out the following:

Number of sprinklers } N/A

Sprinkler nozzle size

Number of Pivots (include gpm rating for each pivot)

9.) Please outline all acres irrigated on attached aerial photo. ✓ DONE

10.) Please clearly mark all points of diversion on map and GPS. ✓ DONE

SITE TAG A0002192

GPS = 2258718
#126 1401246

11.) Please clearly mark all mainlines, ditches, and other conveyances.

✓ DONE

12.) Pictures taken of place of use and point of diversion. ✓ DONE

13.) Please show where and how water from other sources are diverted into the irrigation system. ✓

FIELD EXAMINERS NOTES (descriptions, other uses, questions, ect.)

THEORETICAL FLOW RATE

$$Q_{PM} = \frac{HP(EFF)(8.82)}{TDH}$$

$$\frac{(5)(5)(8.82)}{14} = 1.575 \text{ CFS}$$

DATE EXAM CONDUCTED FIELD 8/30/06 OFF 9/9/06

FIELD EXAMINER

BHs Ben H. Scholer

DARTON MOTOR

5 HP

SF 1.0

1730 RPM

MOTOR REF 6K130L

230V - 23.0 AMPS

KAREN & MATT

MOSEZ

8/30/06

63-21454

PARMA WATER LIFTER

8" DISCHARGE

LIFT = $\frac{8' \text{ ABOVE}}{6' \text{ BELOW}} \}$ DISCHARGE
14'

PULLEY RATIO $\frac{6'' - 16''}{(5\frac{5}{8}'' - 15\frac{1}{2}'')}$

DISCHARGES INTO BOX THEN TO CONC. DITCH

A0002192

GPS = 2258718

#126 1401246

IDAHO POWER METER

10688767 ABB

K_H = 7.2 NO CT

ADDITIONAL INFORMATION

FLOW RATE THEORETICAL

$$GPM = \frac{(HP)(EFF) 8.82}{TDH}$$

$$\frac{(5)(5)(8.82)}{14'} = 1.575 \text{ CFS}$$



08 30 2006

PLACE OF USE
LOOKING NORTH FROM PUMP SITE



08 30 2006

P.D.U. LOOKING NORTH-WEST

63-21454



08 30 2006

LOOKING EAST AT PUMP SITE



08 30 2006

LOOKING NORTH



POWER METER

MOSE
63-21454

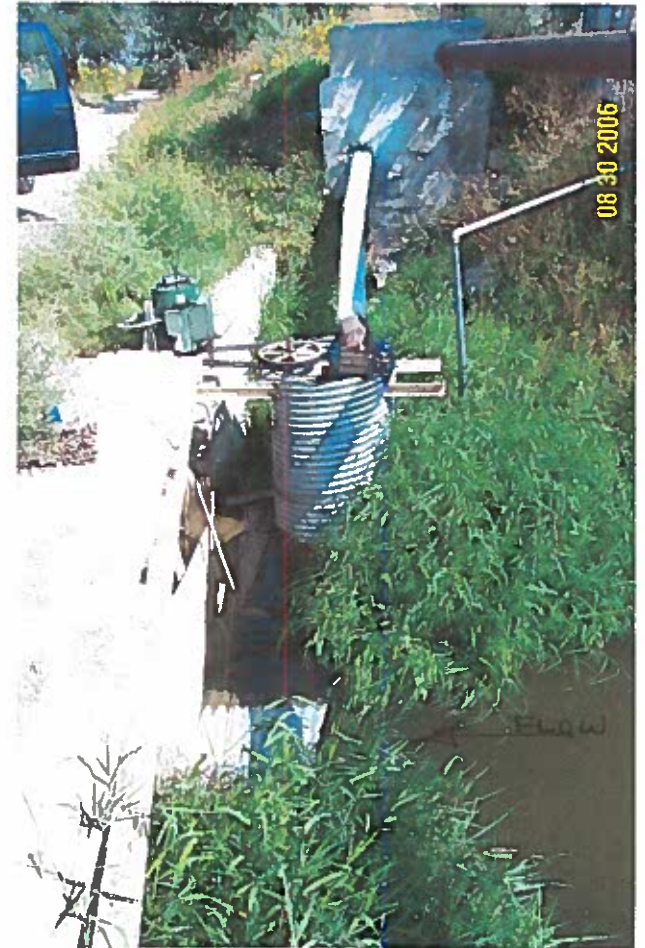


DITCH RUNNING
NORTH FROM
PUMP BOX

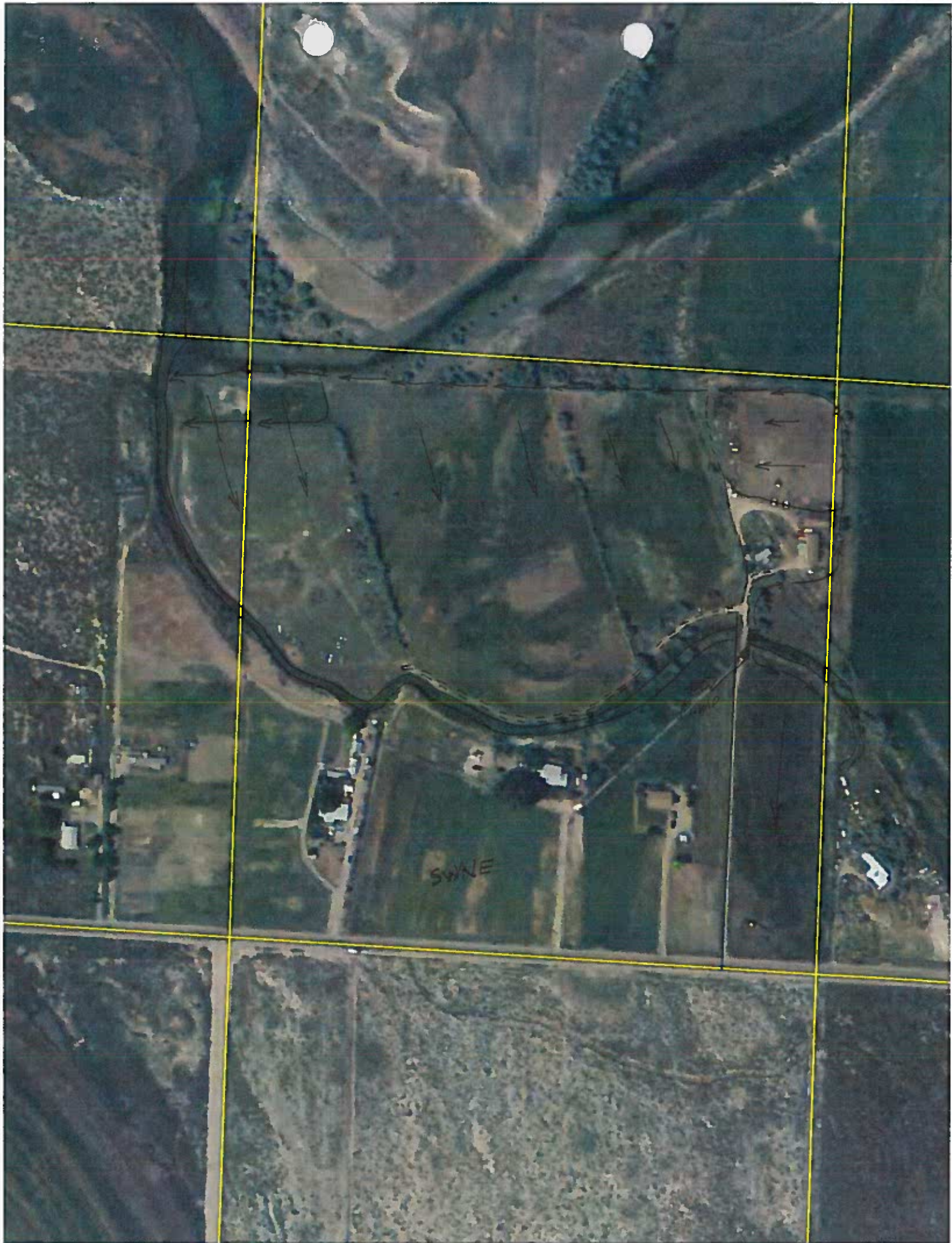


OUTLET STRUCTURE
SOUTH SIDE OF DRAIN
LOOKING NORTH

MOSEY
63-21454



PARMA WATER LIFTER



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21454

WATER RIGHT NUMBER: 63-21454

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	AGNES MARIE GORDON 30280 BOULDER RD PARMA, ID 83660 (208)722-6546
Current Owner	KAREN MOSER 30280 BOULDER RD PARMA, ID 83660
Current Owner	MATTHEW MOSER 30280 BOULDER RD PARMA, ID 83660
Original Owner	CARL GORDON 30280 BOULDER RD PARMA, ID 83660 (208)722-6546

CORRECT

Priority Date: 03/15/1943

Basis: Beneficial Use

Status: Active

Source

NORTH ALKALI DRAIN

Tributary

SOUTH BOISE DRAIN

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

0.540 CFS

Annual VolumeTotal Diversion:

0.540 CFS

Location of Point(s) of DiversionNORTH ALKALI DRAIN
CANYON County

NE1/4SW1/4NE1/4

Sec. 13, Twp 05N, Rge 06W, B.M.

Place of Use

IRRIGATION

Twp Rge Sec

05N 06W 13

NE				NW				SW				SE				Totals
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
		27.0				1.64										27.0
		22.87														24.51

Total Acres: 27

Conditions of Approval:

1. CHNAGE IN OWNERSHIP LG-7-11-2006

Dates and Other Information:

Claim Received Date: 3/9/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

FIELD EXAM MEMO

DATE: 7/28/2006

TO: Dan Nelson

FR: Lori Graves

RE: A63-21454

The claim says that two pumps are used with cement ditches and siphon tubes. Only one p/d is listed.

Please verify

1. P/d(s) locations
2. Flow rate
3. Acres irrigated as of 1987
4. If surface water shares also used

The new owners are Matt and Karen Moser, 724-9641 or 724-1616. Thanks Dan.

RECEIVED

JUL 27 2006

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
A63-21454)

AFFIDAVIT

State of Idaho)
County of Canyon)

deposes and says: I Balie Lewman have been a
neighbor to the Gordon's (previous owner) for
50 years. I have personally witnessed water
used on their 27 acres. The new owners,
(Matt & Karen Moser) have replaced the old
pump with a new pump and have
continued to irrigate the property.

Matt Moser 724-9641

Karen Moser 724-1666

Curtis Balie Lewman
(Signature)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 13, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

KAREN & MATTHEW MOSER
30280 BOULDER RD
PARMA ID 83660

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No: A63-21454

Dear Claimants,

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

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

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

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

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, an accurate location of your diversion and acres irrigated needs to be identified on the attached aerial photo. Please also provide as much detail about your diversion works as possible including pump make, horsepower, operating pressure, approximate water lift (in feet) to acres irrigated, type and number of sprinklers, etc. If more information is needed, you will be receiving a call from us in order to set-up an appointment for a field exam.

Page 2

The above requested information needs to be submitted by August 3, 2006. Please let me know if you may not be able to submit the information or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Respectfully,

A handwritten signature in cursive script, appearing to read "Lori Graves".

Lori Graves
Sr. Water Resource Agent

Enclosure: "Evidence of Priority" Pamphlet/Affidavit
Notice of Claim A63-21454
Aerial Photo

Idaho Dept. of Water Resources Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	63 12196	DONALD E GEE, FAE G GEE,	ALKALI DRAIN	05N06W13				23													23
Claim	63 2389	THE RIVERSIDE IRRIGATION DIST LTD,	ARENA LAKE DRAIN	05N06W13				40													40
Rec	63 2389	THE RIVERSIDE IRRIGATION DIST LTD,	ARENA LAKE DRAIN	05N06W13				40													40
Claim	63 226	THE RIVERSIDE IRRIGATION DIST LTD,	BOISE RIVER	05N06W13				40													40
Claim	63 227	THE RIVERSIDE IRRIGATION DIST LTD,	BOISE RIVER	05N06W13				40													40
Claim	63 228	THE RIVERSIDE IRRIGATION DIST LTD,	BOISE RIVER	05N06W13				40													40
Claim	63 229	THE RIVERSIDE IRRIGATION DIST LTD,	BOISE RIVER	05N06W13				40													40
Claim	63 299	THE RIVERSIDE IRRIGATION DIST LTD,	BOISE RIVER	05N06W13				40													40
Claim	63 300	THE RIVERSIDE IRRIGATION DIST LTD,	BOISE RIVER	05N06W13				40													40
Rec	63 226	THE RIVERSIDE IRRIGATION DIST LTD,	BOISE RIVER	05N06W13				40													40
Rec	63 227	THE RIVERSIDE IRRIGATION DIST LTD,	BOISE RIVER	05N06W13				40													40
Rec	63 228	THE RIVERSIDE IRRIGATION DIST LTD,	BOISE RIVER	05N06W13				40													40
Rec	63 229	THE RIVERSIDE IRRIGATION DIST LTD,	BOISE RIVER	05N06W13				40													40
Rec	63 299	THE RIVERSIDE IRRIGATION DIST LTD,	BOISE RIVER	05N06W13				40													40
Rec	63 300	THE RIVERSIDE IRRIGATION DIST LTD,	BOISE RIVER	05N06W13				40													40
Right	63 23297	STATE OF IDAHO,	EAST ALKALI DRAIN	05N06W13													X				0
Right	63 20481	EVA JO MILLER, RAY A MILLER,	GROUND WATER	05N06W13	X																0
Right	63 21455	CARL GORDON, AGNES MARIE GORDON,	GROUND WATER	05N06W13			X														0
Right	63 21455	CARL GORDON, AGNES MARIE GORDON,	GROUND WATER	05N06W13			X														0
Right	63 21676	DAVID H KISER, ANITA M KISER,	GROUND WATER	05N06W13			X														0

Idaho Dept. of Water Resources Place of Use Comparison Report

Right	63 21676	DAVID H KISER, ANITA M KISER,	GROUND WATER	05N06W13			X												0
Right	63 22024	GEERTJE DE HOOG,	GROUND WATER	05N06W13						X									0
Right	63 23167	IVAN G MARTIN, MURIEL G MARTIN,	GROUND WATER	05N06W13												X			0
Right	63 23167	IVAN G MARTIN, MURIEL G MARTIN,	GROUND WATER	05N06W13												X			0
Right	63 23168	IVAN G MARTIN, MURIEL G MARTIN,	GROUND WATER	05N06W13													X		0
Right	63 23168	IVAN G MARTIN, MURIEL G MARTIN,	GROUND WATER	05N06W13													X		0
Right	63 26230	GILBERT L SHIPLEY,	GROUND WATER	05N06W13						X									0
Right	63 26230	GILBERT L SHIPLEY,	GROUND WATER	05N06W13						X									0
Claim	63 2279	THE RIVERSIDE IRRIGATION DIST LTD,	INDIAN CREEK	05N06W13				40											40
Claim	63 2374	THE RIVERSIDE IRRIGATION DIST LTD,	INDIAN CREEK	05N06W13				40											40
Rec	63 2279	THE RIVERSIDE IRRIGATION DIST LTD,	INDIAN CREEK	05N06W13				40											40
Right	63 2279	THE RIVERSIDE IRRIGATION DIST LTD,	INDIAN CREEK	05N06W13	31	19		27				13	34	33	26	4		31	218
Claim	63 4008	THE RIVERSIDE IRRIGATION DIST LTD,	MAMMEN GULCH CREEK	05N06W13				40											40
Rec	63 4008	THE RIVERSIDE IRRIGATION DIST LTD,	MAMMEN GULCH CREEK	05N06W13				40											40
Claim	63 4007	THE RIVERSIDE IRRIGATION DIST LTD,	MEADOWS GULCH DRAIN	05N06W13				40											40
Rec	63 4007	THE RIVERSIDE IRRIGATION DIST LTD,	MEADOWS GULCH DRAIN	05N06W13				40											40
Claim	63 21454	AGNES MARIE GORDON, CARL GORDON,	NORTH ALKALI DRAIN	05N06W13				27											27
Claim	63 4233A	CURTIS B LEWMAN, ZILLIAH L LEWMAN,	NORTH ALKALI DRAIN	05N06W13							3								3
Rec	63 21454	AGNES MARIE GORDON, CARL GORDON,	NORTH ALKALI DRAIN	05N06W13				27											27

split from
63-4233?

[illegible]