

06/09/2006

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

RIGHT NUMBER: 22-13217
NAME AND ADDRESS: LINDSEY MOSS
80 N 275 E
DRIGGS ID 83422
JAN MOSS
80 N 275 E
DRIGGS ID 83422

SOURCE: TETON CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.170 CFS

The quantity of water diverted under this water right shall be from the portion awarded to Wyoming and deducted there from as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

PRIORITY DATE: 09/01/1891

POINT OF DIVERSION:

T05N R46E S20 SESWNE Lot 2 Within TETON County

The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 20 SESESE, 6PM.

The point of diversion shown above is where the conveyance system enters Idaho.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.170 CFS

PLACE OF USE:

<u>IRRIGATION Within TETON County</u>			
T05N R46E S29 Lot 1 NWNE	11.00	T05N R46E S29	NENW 9.00

20 ACRES TOTAL

20

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-13217, 22-13218

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

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

This water right is also recorded as Wyoming Certificated Water Right No.

This water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.



Idaho Department of Water Resources

SRBA Recommendation:

22-13217

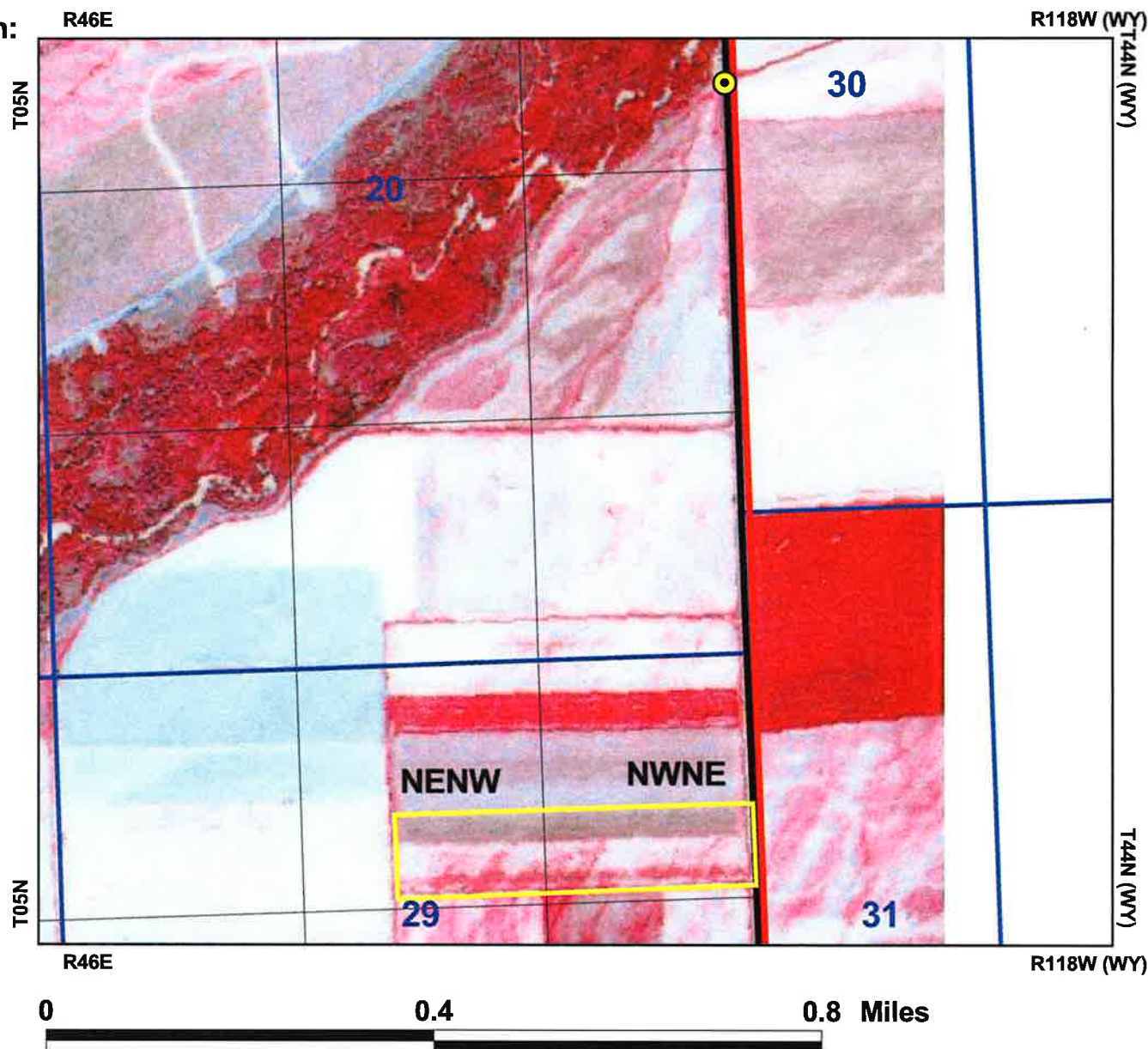
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Teton County
IDWR Basin 22



Prepared by J. Crabtre
On Wednesday, November 22, 2006
1987/88 Aerial Photography

E-Vault

03/08/2005

NOTICE OF ERROR
REPLY

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:

Water right number: 22-13217

LINDSEY MOSS
80 N 275 E
DRIGGS ID 83422
Telephone Number: (208)354-3955

JAN MOSS
80 N 275 E
DRIGGS ID 83422
Telephone Number: (208)354-3955

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: June 28, '05 SIGNATURE: Jan Moss
Please print your name: Jan Moss

IDWR Regional Office,

RECEIVED

JUL 12 2005

Department of Water Resources
Eastern Region

SCANNED

JUL 13 2005

PROFILED

KMT
7/12



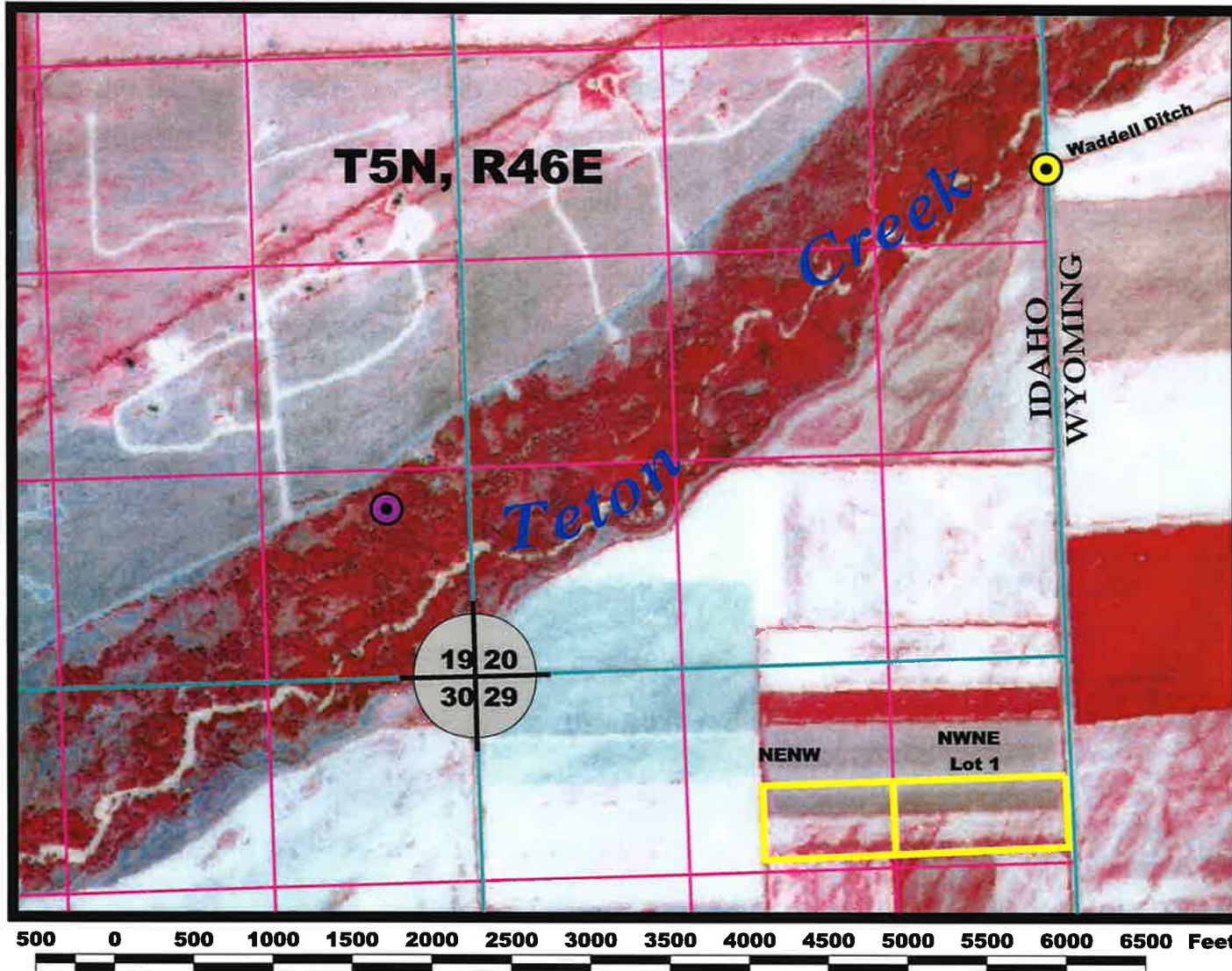
MAY 09 2005

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State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-13217,
22-13218

Point(s) of Diversion:
T5N, R46E
Sec. 20 SESWNE (L3)

Place of Use: (parts of)
T5N, R46E
Sec. 29 NENW, NWNE (L1)

Delivery through Waddell Ditch.

LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: January 2005

22-13213 Boyd Bowles
(1.88 CFS) 84" SEPT 1 1891
TETON CREEK

22-13215 Doris Moss
(.4 CFS) 20" SEPT 1 1891
TETON CREEK

22-00567 MRS. L E Waddell
(4.0 CFS) 200" SEPT 1 1891
TETON CREEK

22-13217 Lindsey Moss
(.17 CFS) 8.5" SEPT 1 1891
TETON CREEK

22-13251 MARILYN WRIGHT
(1.13 CFS) 56.5" SEPT 1 1891
TETON CREEK

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Water Right No(s). _____



GPS DATA:

Tag # HO 13854 Location: ON HEAD GATE Wall

Diversion Data:

Source: TETON CREEK Trib to: TETON RIVER

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Wyoming legal. P.O.D. Tn 44N Range 118W.
SEC. 20 SE. SE. SE. L. P. 17.

Field Exam Date: 7-15-04 Agent: D. O.

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MAY 09 2005

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T. 5N., R. 46E.
SECTION 20
SESWNE (L1)

Spot where Waddell Canal (diverts
out of Teton Creek) crosses into Idaho

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MAY 09 2005

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T44N, R118W

IDAHO
WYOMING

Waddell Ditch

Idaho side POD
Recommended

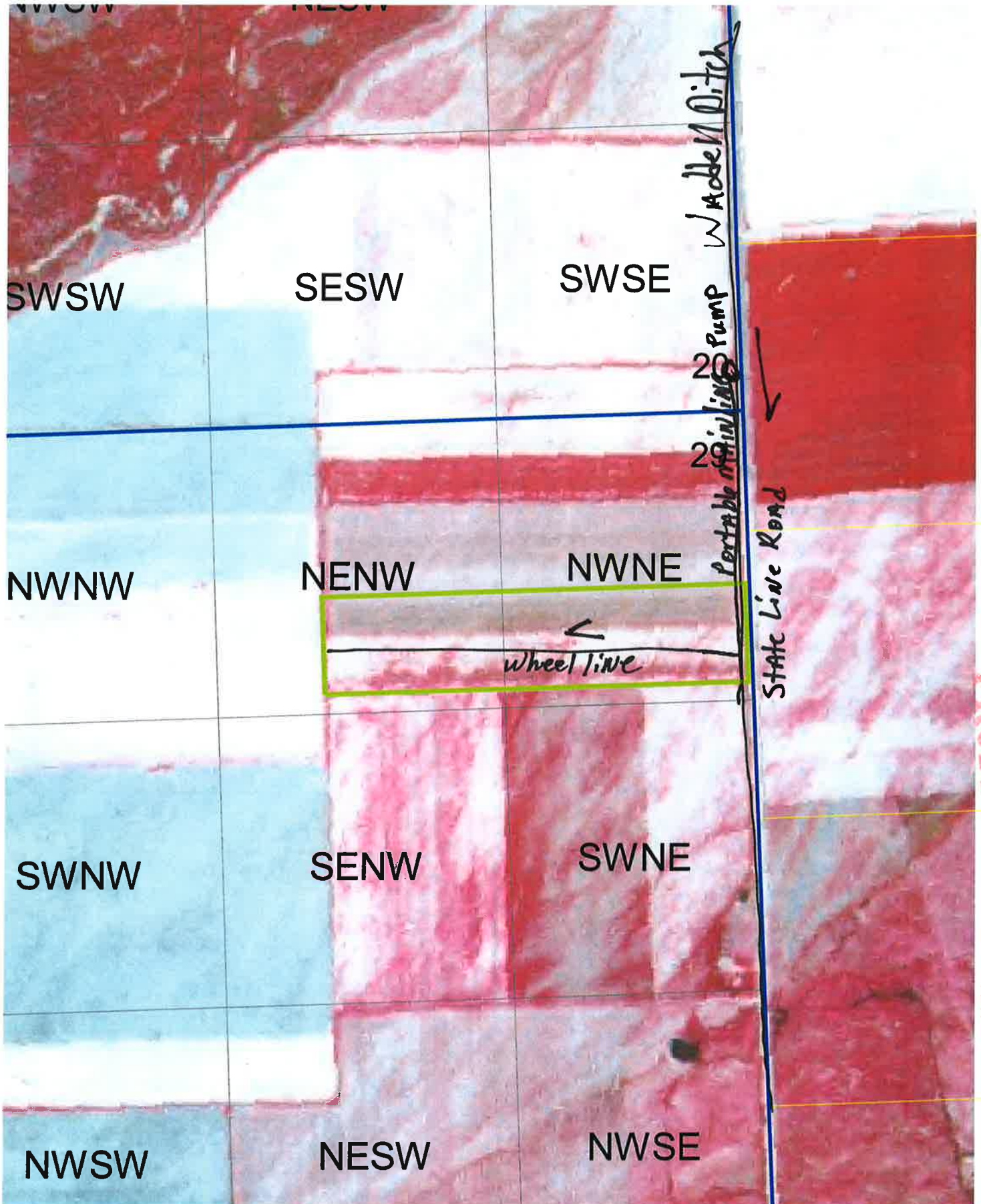
T5N, R46E

19 20
30 29

18 17
19 20

19 20
30 29

22-13217



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MAY 09 2005

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

Refer to Claim A2213218

This Right is a portion of Dacred Right
22-00567 P.D. Sept. 1, 1891 For 200 in
H. CFS. Source Teton Creek Trib Teton River
Dacred Right 567 was split into
22-13213, 22-13215, 22-13217, 22-13251

Reviewer: _____ Date: _____

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MAY 09 2005

Water Right No(s). _____

GPS DATA:

Tag # _____ Location: _____

Diversion Data:

Source: Teton Creek Trib to: Teton River

MOTOR

Make: General Electric Model: 5K324YKd025 Hp: 30
SN: DK6164008

PUMP

Make: Cornell Model: _____ Disch: 6" portable
SN: _____ mainline

NOTES:

Field Exam Date: 7/15/04 Agent: DD

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MAY 09 2005

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

20
 7/15/04
 POD is Waddell Ditch which diverts out of
 Teton Creek in Wyoming,
 Claimant uses a 30 h.p. pump, portable mainline
 and wheel lines to irrigate.

Reviewer: _____ Date: _____

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Place Of Use Data Entry Form

Claim Number: _____

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

DD
7/15/04
Field exam shows that ground is irrigated with wheel lines,

Reviewer: _____ Date: _____

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MAY 09 2005

22-13217

Briggs, Idaho
June 3, 2004

Water Resource Board
Idaho Falls, Idaho

RECEIVED

JUN 04 2004

Department of Water Resources
Eastern Region

Dear Mr. Carlson;

Hopefully we have completed all the steps for water adjudication of the Doris K. Moss Family Trust on Sections 20 on Stateline Road 65 acres Teton County Idaho - 20 acres of the 65 now belong to Son, Lindsey K. Moss and wife. Jan.

Enclosed is a statement and signature of David Wayne Green, Alta Resident stating our water use over the years. He lives across the line in Wyo. and his phone is 208-353-2566 if you should need to call.

Thank you.

Sincerely

Doris K. Moss

P.S. - This land lies one mile South on Stateline road and is separate from my 5 acre home place for which I requested a stock water permit last week.

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MAY 09 2005

25 May 2004

Signature of David Wayne Green alta Ph. 208-353-2566

Having been a resident of Alta all my life I know that water has regularly been used for irrigating lawn, garden & pasture area by the Doris Moss Family - Formerly the land was owned by Milo H & Iris Dalley - Prior ^{to that} owners were Robert and Luella Hulet Dalley - Livestock, pasture garden & lawn ~~also~~ ^{RECEIVED} uses of the water.

JUN 14 2004

Birthdate March 12, 1919 x *D. Wayne Green* Department of Water Resources
Eastern Region

May 26, 2004

Signature and birthdate of David Wayne Green

Having been a resident of Alta all my life I know that crops of hay, grain and potatoes have been grown & irrigated on the Doris Moss land yearly.

Birthdate: March 12, 1919 *D. Wayne Green*

RECEIVED

JUN 04 2004

Department of Water Resources
Eastern Region

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MAY 09 2005

Trude, A. S. 40 inches, June 1, 1901,
 Trude, A. S. 50 inches, Sept. 20, 1901,
 Trude, Walter S. and D.P. 40 inches, June 1, 1901
 Trude, Walter S. and D.P. 110 inches, June 1, 1900,
 Twin Grove Canal & Irrigation Company. 7,500 inches, June 1, 1892,
 Twin Groves Irrigation Company.

---U---

Uden, Ernest W. 75 inches, June 1, 1902,

---V---

Vail J. R. 160 inches, June 1, 1896,

Vail W. C. 120 inches, June 1, 1897,

Vail, W. C. 100 inches, June 1, 1897,

Vanleuven, William 160 inches, June 15, 1897,

Victor Townsite, (To Nahum Curtis, David Cheney and Edwin Rice, Trustees.) 320 inches, June 1, 1896,

---W---

Widdell, Mrs. L. E. 200 inches, Sept. 1, 1891,

Wagstaff, A. J.

Wait, F. A. 160 inches, May 25, 1898,

Wakeman, Herman, 240 inches, July 1, 1886,

Walker, F. E.

Wall, George L. 80 inches, Oct. 15, 1900,

Wall, George L. 40 inches, Aug. 20, 1901,

Sheridan Creek and Grizzley Apring.
 Sheridan Creek.
 Grizzley Sprin .
 Sheridan Creek.
 North Fork of the Snake River.
 (See Chester Canal)

Southwest Fork of Elk Creek

Fox Creek.

Fox Creek.

Fox Creek.

South Leigh Creek

Trail Creek.

Teton Creek

The Farmers' Friend Canal Company.

Leigh Creek.

Myers Creek.

Parsons Ditch Company.

Wall Springs.

Tom Creek.

*Original retained by
 Karen Hansen on 6/24/99
 to be delivered to First Ameri
 Title*

Handwritten notes and signatures, including "Deputy Clerk" and "H. H. H."

PROFILE SCANNED
MAY 09 2005



Victor Townsite

Wadell, Mrs L. E.

Wadsworth, A.

Wadsworth, Ed.

Walt, F. A.

Wakeman, Herman

Walker, F. E.

Walker, F.E. and Lucille

Wall, George L.

Walters, William

Walton, Dania

Walton, D. O

Walton, George

W $\frac{1}{2}$ of NE $\frac{1}{4}$ and E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 11, T. 3 N. R. 45 E.B.M.

--N--

SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and Lot 4 of Sec. 20, the NW $\frac{1}{4}$, and NE $\frac{1}{2}$ of SW $\frac{1}{4}$, SE $\frac{1}{4}$ of SW $\frac{1}{4}$, and Lots 1, 2 and 3 of Sec. 29 T. 5 N. R. 46 E.B.M.
Containing 458.61 acres.

SW $\frac{1}{4}$ of Sec. 29 and S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 30 T. 1 N. R. 38 E.B.M.
Containing 240 acres.

E $\frac{1}{2}$ of NW $\frac{1}{4}$ and Lots 1 and 2 of Sec. 30 T. 1 N. R. 38 E.B.M.
Containing 160 acres.

NE $\frac{1}{4}$ of Sec. 5 T. 5 N. R. 45 E.B.M. Containing 160 acres.
SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 20, SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 21, E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 29, and W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 28 T. 3 S. R. 43 E.B.M. Containing 240 acres.

W $\frac{1}{2}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$, and Lot 2 of Sec. 2 T. 3 S. R. 34 E.B.M.
W $\frac{1}{2}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$, and Lot 3 of Sec. 11 T. 3 S. R. 34 E.B.M.
Containing 164 acres.

SE $\frac{1}{4}$ of SE $\frac{1}{4}$, and W $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 25, T. 13 N. R. 43 and S $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 24 T. 13 N. R. 43 E.B.M. Containing 200 acres.

N $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 19, T. 6 N. R. 40 E.B.M. Containing 80 acres.
S $\frac{1}{2}$ of SW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 13, T. 4 N. R. 45 E.B.M.

SE $\frac{1}{4}$ of Sec. 15 T. 4 N. R. 45 E.B.M. Containing 160 acres.

NW $\frac{1}{4}$ of SW $\frac{1}{4}$, and W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 29, and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 20

SCANNED

MAY 09 2005

Original Retained by Karen Hanson
on 6/24/97 to be delivered to First
American Title.

EXPLANATORY MATERIAL: BASIS OF CLAIM Decreed

This right is a split from former right 22-567.

Water is delivered through Waddell Ditch.

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 22-13217
Date Received: 3/11/2002
Receipt No: E027517
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A2213217



1. Name of Claimant(s)

LINDSEY MOSS Phone: (208) 354-3955

80 N 275 E
DRIGGS ID USA 83422

JAN MOSS Phone: (208) 354-3955

80 N 275 E
DRIGGS ID USA 83422

2. Date of Priority: 09/01/1891

3. Source: TETON CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	46E	20	SW NE 2	TETON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	04/15 10/31	0.17	

7. Total Quantity Appropriated is:
0.17 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
----------	-------	---------	----------------	-----	-------

FILED

SCANNED

MAY 09 2005

05N	46E	29	NW	NE	1	IRRIGATION	11.6
			NE	NW		IRRIGATION	8.4
						Section Acres	20
						Total Acres	20

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS BASED ON A PORTION OF DECREED RIGHT 22-567.

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.

WATER IS DELIVERED THROUGH WADELL DITCH.

POINT OF DIVERSION IS LOCATED IN WYOMING AT T44N, R118W, S20, SESE.

RIGHT NO. 22-13218 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

15. Basis of 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.

SCANNED
MAY 09 2005

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): Rudsey Mars Date: 3-11-02

_____ Date: _____

State of Idaho)
County of Bonneville) SS.

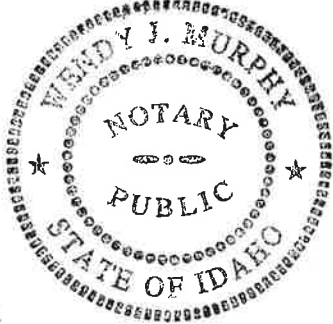
Subscribed and sworn (or affirmed) before me this 11th
of March 2002

Wendy J. Murphy

Notary Public

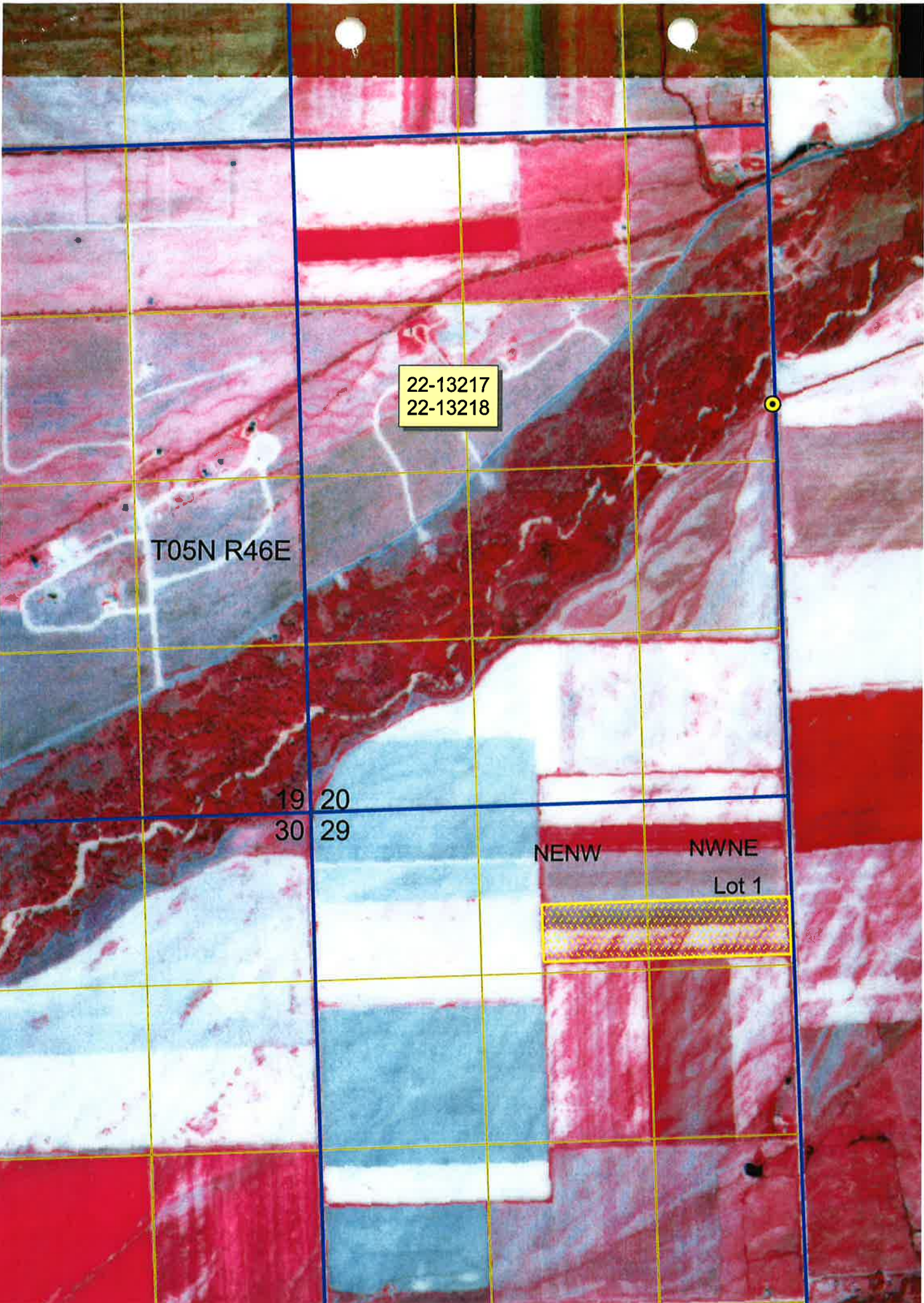
Residing at Idaho Falls

My commission Expires 6/23/06



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SCANNED
MAY 09 2005



22-13217
22-13218

T05N R46E

19 20
30 29

NENW

NWNE

Lot 1

MAY 09 2005

PROJECT