

04/12/2005

**NOTICE OF ERROR
REPLY**

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: June 3, 2005

Water right number: 37-2778

GARY A DE MOSS
PO BOX 61
BLISS ID 83314
Telephone Number: (208)352-4385

HELEN DE MOSS
PO BOX 61
BLISS ID 83314
Telephone Number: (208)352-4385

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: 4/26/05 SIGNATURE: Gary A DeMoss, Helen DeMoss
Please print your name: GARY A DeMoss, Helen DeMoss

IDWR State Office, 322 E. Front St., P.O. Box 83720, Boise, ID 83720-0098

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

1

10/09/2003

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

T05S R13E S09	SWSE	18.0	T05S R13E S16	NWNE	13.0
T05S R13E S16	NENW	40.0	T05S R13E S16	NWNW	39.0
T05S R13E S16	SWNW	30.0	T05S R13E S16	SENW	10.0

IRRIGATION FROM STORAGE same as IRRIGATION

808 ACRES TOTAL

The direct flow irrigation use described by rights 37-7385B, 37-7754, and 37-2778 when combined is limited to the irrigation of 679 acres.

The direct flow irrigation use described by this right is limited to the irrigation of 242 acres within the place of use described above in a single irrigation season. Irrigation from storage is not limited but currently confined to the place of use described above.

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

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

EXPLANATORY MATERIAL: License

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

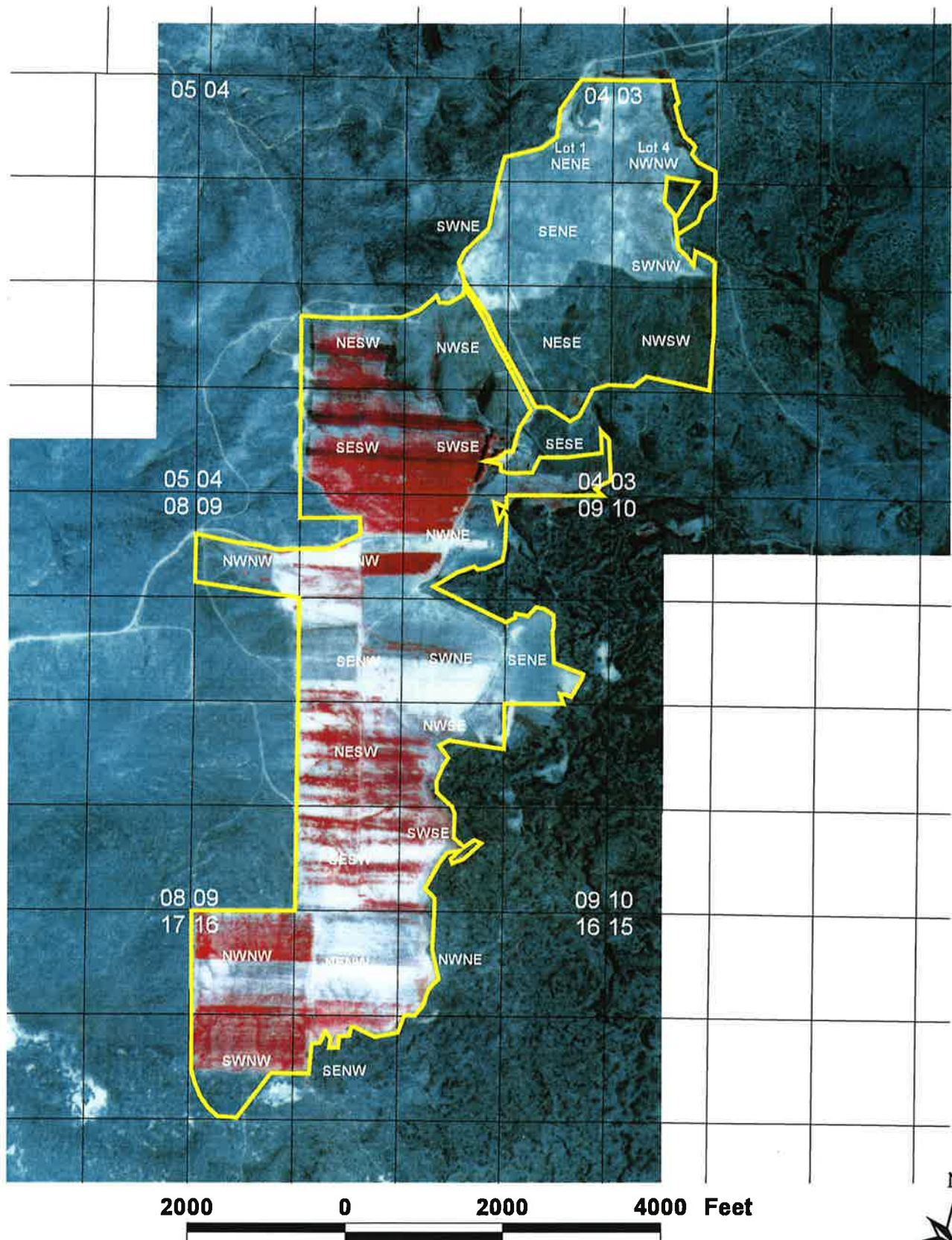
The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by this transfer by February 18, 2004.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

37-856 37-2778 37-2780 & 37-7754



**T05S R13E S03
S04 S09 & S16**

Map prepared by: Carter Fritschle
Date prepared: 10/09/03
1987-1988 NAPP photography
Idaho Department of Water Resources

**AMENDED
WATER RIGHT LICENSE**

License of Water Right No. **R-864/37-2778** Priority **Feb. 26, 1957** Amount **1210 acrefeet**

THIS IS TO CERTIFY, that ALEX MASON
of Bliss, Idaho, has complied with the terms and conditions of Permit
No. R-864/37-2778 issued pursuant to Application for Permit dated October 12, 1950,
and has submitted proof to the Department of Water Resources on March 15, 1968 (late proof),
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the **storage of** 1210 acre feet of water from Dry Creek,
tributary to the Big Wood River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Storage for:	from Jan 1 to Dec 31	at 80.0 cfs and	1210 acre feet
Irrigation	from April 1 to Oct 31	at 84 cfs and	726 acre feet or
	from _____ at _____ cfs and		3.0 af per acre

Subject, however, to the condition that no more than 1210 acre feet of water be stored at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 3.0 acre feet per acre per year, said waters to be diverted within the NE 1/4 Sec. 6, Twp. 4S, Rge. 14E, B.M. and rediverted at the outlet works in the SW 1/4 NE 1/4, Sec. 35, Twp. 4S, Rge. 18E, B.M., in the County of Gooding.

Description and location of place of use:

Twp.	Range	Sec.	NEW			NW¼			SW¼			Totals		
			NW	NW¼	SW¼	SEW	NW	SW¼	SEW	NW	NW¼		SW¼	SEW
5 S	13 E	3				82	28			2			52	
		4	18		3					II	24	6	37	179
		9		8		3								11

Total number of acres irrigated 242

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7 day of

Director

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: **A37-02778**
Date Received: 8/22/1988
Receipt No: C002293
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: HELEN DEMOSS 208-352-4385
Address: PO BOX 61
BLISS ID 83314
AND/OR
Name: GARY DEMOSS 208-352-4385
Address: PO BOX 61
BLISS ID 83314

2. Date of Priority: FEB 26, 1957

3. Source: DRY CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	13E	35	SW	NE	NE		GOODING
	14E	6	NE	SE	SE		GOODING

5. Description of diverting works:
DIVERSION DAM, CANAL, BRAY LAKE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	4.840		726.00
IRRIGATION STORAGE	01/01	12/31			1210.00
IRRIGATION FROM STORAGE	04/01	10/31			1210.00
DIVERSION TO STORAGE	01/01	12/31	80.000		

7. Total Quantity Appropriated is:
80.000 C.F.S. (and/or) 1210.00 A.F.A.

8. Total consumptive use is 726.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	13E	3	NW	NW		IRR	22.0
			SW	NW		IRR	28.0
			NW	SW		IRR	2.0
			Section Acres				52.0
		4	NE	NE		IRR	18.0
			SW	NE		IRR	7.0
			SE	NE		IRR	32.0
			NE	SW		IRR	11.0
			SE	SW		IRR	24.0
			NE	SE		IRR	5.0
			NW	SE		IRR	34.0
			SW	SE		IRR	37.0
			SE	SE		IRR	11.0
			Section Acres				179.0
		9	NW	NE		IRR	8.0
			NE	NW		IRR	3.0
			Section Acres				11.0
			Total Acres				242.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
37-00856, 37-02780, 37-07754

14. Remarks:

THE STORAGE SHOWN IN THIS RT. IS KNOWN AS STROUT RESERVOIR & COVERED IN PART BY RT. 37-2780. RESERVOIR LOCATED IN SWNE, S35, T4S, R13E.
RESERVOIR IS USED FOR STOCK WATER BY BLM & STATE GRAZING PERMITS.

OWNERSHIP CHANGE 6/18/90 BY JG

15. Basis of Claim: LICENSE

Water Right Number: 02778

MICROFILMED
OCT 24 1994

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): 37-11479, 37-11480, 37-00856,
37-02780, 37-02778,
37-07754

[] Old Mailing Address: HC 69 Box 3900
CAMBRIDGE ID 83610

[] New Mailing Address: PO Box 61
BLISS ID, 83314

New Telephone Number: (208) 352-4385

[] Signature of Claimant: Gary DeMoss Helen Dollos
Date: 4/1/93

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

RECEIVED

APR 01 1993

Department of Water Resources
Southern Region Office

MICROFILMED
OCT 24 1994.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

15-Apr-1993

GARY DEMOSS
HELEN DEMOSS
PO BOX 61
BLISS ID 83314

RE: CHANGE OF ADDRESS/ ADJUDICATION CLAIM NO. A37-00856, A37-02778
A37-02780, A37-07754, A37-11479, A37-11480

DEAR CLAIMANT(S):

PLEASE REVIEW THE COMPUTER GENERATED CLAIM(S) FOR ACCURACY. IN A FEW INSTANCES CLARIFICATIONS MAY HAVE BEEN ADDED BY THE DEPARTMENT AT THE TIME OF DATA ENTRY. IF YOU HAVE ANY QUESTIONS OR OBJECTIONS REGARDING THE COMPUTER RECORD OF YOUR CLAIM(S), PLEASE CONTACT THIS OFFICE.

SINCERELY,

A handwritten signature in cursive script that reads 'Jeanie'.

JEANIE ROBERTSON
RECORDS CLERK

/jr
Enclosures

MICROFILMED
OCT 24 1994

Water Right Number - R37-02778 Prefix Translation: RESEARCH Old (D) Number - 02778
+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
DEMOSS

HELEN

1 - PO BOX 61
2 -
3 -

State- ID Zip- 83314

City- BLISS
Phone - 208-352-4385
1 - PO BOX 61
2 -
3 -

DEMOSS

State- ID Zip- 83314

City- BLISS
Phone - 208-352-4385
1 - P.O. BOX 909
2 -
3 -

*** O - ORIGINAL OWNER ***
IDAHO STATE BANK

State- ID Zip- 83623

City- GLENNS FERRY
Phone - 208-366-7492
1 - P.O. BOX 909
2 -
3 -

+ - - Priority Date - - - + + - - - - Region - - - + + - - - - Stage - - - + + - - - - Status - - - +
02/26/1957 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - + + - - - - Tributary - - - - +
DRY CREEK BIG WOOD RIVER

+ - - - - Point of Diversion - - - - +
TwN Rng Sec Tract Lot RFlg County

04S 13E 35 SW NE NE (47) GOODING
14E 6 NE SE SE (47) GOODING

+ - - - - Water Use - - - - + + - - - - Diversion Rate + - - - - Diversion Volume

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31		726.00
02 - IRRIGATION STORAGE		01/01	12/31	4.840	1210.00
03 - IRRIGATION FROM STORAGE		04/01	10/31		1210.00
55 - DIVERSION TO STORAGE		01/01	12/31	80.000	

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +
80.000 1210.00 726.0

+ - - - - Place of Use - - - - + + - - - - Description + - - - - County

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
05S	13E	3	NW NW		22.0	01	IRRIGATION	(47) GOODING
05S	13E	3	SW NW		28.0	01	IRRIGATION	(47) GOODING
05S	13E	3	NW SW		2.0	01	IRRIGATION	(47) GOODING
05S	13E	4	NE NE		18.0	01	IRRIGATION	(47) GOODING
05S	13E	4	SW NE		7.0	01	IRRIGATION	(47) GOODING
05S	13E	4	SE NE		32.0	01	IRRIGATION	(47) GOODING

MICROFILMED
OCT 24 1994

Water right number - R37-02778

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
05S	13E	4	NE SW		11.0	01	IRRIGATION	(47) GOODING
05S	13E	4	SE SW		24.0	01	IRRIGATION	(47) GOODING
05S	13E	4	NE SE		5.0	01	IRRIGATION	(47) GOODING
05S	13E	4	NW SE		34.0	01	IRRIGATION	(47) GOODING
05S	13E	4	SW SE		37.0	01	IRRIGATION	(47) GOODING
05S	13E	4	SE SE		11.0	01	IRRIGATION	(47) GOODING
05S	13E	9	NW NE		8.0	01	IRRIGATION	(47) GOODING
05S	13E	9	NE NW		3.0	01	IRRIGATION	(47) GOODING

Total Acres: 242.0

+ - - Diversion Means - DIVERSION DAM, CANAL, BRAY LAKE, DITCHES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 37-00856, 37-02780, 37-07754

Remarks
THE STORAGE SHOWN IN THIS RT. IS KNOWN AS STROUT RESERVOIR & COVERED IN PART BY RT. 37-2780. RESERVOIR LOCATED IN SWNE, S35, T4S, R13E.
RESERVOIR IS USED FOR STOCK WATER BY BLM & STATE GRAZING PERMITS.
***** OWNERSHIP CHANGE 6/18/90 BY JG *****

+ - - No Old Water Right Numbers Found

+ - - No Conditions of Approval

+ - - Decree Plaintiff

+ - - Decree Date - - +
00/00/0000+ - - Date: 04/15/1993 User Id: ROBERTSO Subject: ADDRESS CHANGE
CHANGE OF ADDRESS ENTERED THIS DATE BY JR.+ - - Audit Fields - - +
04/15/93 ROBERTSO

Adjudication Rights Dates and Flags Area
Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 08/22/1988
Field Inspection Made - 00/00/0000
Field Inspection Flag -
Verified Date - 00/00/0000
Last Amended Date - 00/00/0000
Civil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P

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OCT 24 1994

Water right number - R37-02778

Prefix Translation: RESEARCH

[illegible]

Receipt Number	- C002293	Water District	-
POU Ownership Flag	- Y	Federal/State Indicator	- S
Name Connector	- AND/OR	Presumption Flag	-
		Notice of Error Flag	-

MICROFILMED
OCT 24 1994

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: **A37-02778**
Date Received: 8/22/1988
Receipt No: C002293
Received By: _____

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

1. Name: GARY DEMOSS 208-257-3572
Address: HC 60 BOX 3900
CAMBRIDGE, ID 83610

AND/OR

Name: HELEN DEMOSS 208-257-3572
Address: HC 60 BOX 3900
CAMBRIDGE, ID 83610

2. Date of Priority: FEB 26, 1957

3. Source: DRY CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	13E	35	SW	NE	NE		GOODING
	14E	6	NE	SE	SE		GOODING

5. Description of diverting works:
DIVERSION DAM, CANAL, BRAY LAKE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	4.840		726.00
IRRIGATION STORAGE	01/01	12/31			1210.00
IRRIGATION FROM STORAGE	04/01	10/31			1210.00
DIVERSION TO STORAGE	01/01	12/31	80.000		

7. Total Quantity Appropriated is:
80.000 C.F.S. (and/or) 1210.00 A.F.A.

8. Total consumptive use is 726.0 Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	13E	3	NW	NW		IRR	22.0
			SW	NW		IRR	28.0
			NW	SW		IRR	2.0
					Section Acres	52.0	
		4	NE	NE		IRR	18.0
			SW	NE		IRR	7.0
			SE	NE		IRR	32.0
			NE	SW		IRR	11.0
			SE	SW		IRR	24.0
			NE	SE		IRR	5.0
NW	SE			IRR	34.0		
SW	SE			IRR	37.0		
SE	SE			IRR	11.0		
			Section Acres	179.0			
9	NW	NE		IRR	8.0		
	NE	NW		IRR	3.0		
			Section Acres	11.0			
			Total Acres	242.0			

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
37-00856, 37-02780, 37-07754

14. Remarks:
THE STORAGE SHOWN IN THIS RT. IS KNOWN AS STROUT RESERVOIR &
COVERED IN PART BY RT. 37-2780. RESERVOIR LOCATED IN SWNE, S35,
T4S, R13E.
RESERVOIR IS USED FOR STOCK WATER BY BLM & STATE GRAZING PERMITS.

OWNERSHIP CHANGE 6/18/90 BY JG

15. Basis of Claim: LICENSE
Water Right Number: 02778

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
FEB 23 1993

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

Corrected

Ident. Number: A37-02778

Date Received: 8/22/1988

Receipt No: C002293

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY DEMOSS 208-257-3572
Address: HC 60 BOX 3900
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AND/OR

Name: HELEN DEMOSS 208-257-3572
Address: HC 60 BOX 3900
CAMBRIDGE, ID 83610

2. Date of Priority: FEB 26, 1957

3. Source: DRY CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	13E	35	SW	NE	NE		GOODING
	14E	6	NE	SE	SE		GOODING

corrected 46 5/13/91
(R)

5. Description of diverting works:
DIVERSION DAM, CANAL, BRAY LAKE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	4.840		726.00
IRRIGATION STORAGE	01/01	12/31			1210.00
IRRIGATION FROM STORAGE	04/01	10/31			1210.00
DIVERSION TO STORAGE	01/01	12/31	80.000		

7. Total Quantity Appropriated is:
80.000 C.F.S. (and/or) 1210.00 A.F.A.

8. Total consumptive use is 726.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-02778

Page 1

Date: 06/18/90

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	13E	3	NW		NW		IRR	22.0
			SW		NW		IRR	28.0
			NW		SW		IRR	2.0
			Section Acres					52.0
		4	NE		NE		IRR	18.0
			SW		NE		IRR	7.0
			SE		NE		IRR	32.0
			NE		SW		IRR	11.0
			SE		SW		IRR	24.0
			NE		SE		IRR	5.0
			NW		SE		IRR	34.0
			SW		SE		IRR	37.0
			SE		SE		IRR	11.0
			Section Acres					179.0
		9	NW		NE		IRR	8.0
			NE		NW		IRR	3.0
			Section Acres					11.0
			Total Acres					242.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
37-00856, 37-02780, 37-07754

14. Remarks:

THE STORAGE SHOWN IN THIS RT. IS KNOWN AS STROUT RESERVOIR & COVERED IN PART BY RT. 37-2780. RESERVOIR LOCATED IN SWNE, S35, T4S, R13E.
RESERVOIR IS USED FOR STOCK WATER BY BLM & STATE GRAZING PERMITS.

OWNERSHIP CHANGE 6/18/90 BY JG

15. Basis of Claim: LICENSE

Water Right Number: ~~R864~~ 37-02778

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Jun-1990

Gary Demoss and Helen Demoss
HC 60, Box 3900
Cambridge, ID 83610

Re: Claim No(s). A37-07754, 02780, 02778, 00856

Dear Claimant(s):

Pursuant to the notification that you presently own the property inwhich the above referenced adjudication claim(s) is appurtenant, the Department has changed the record(s) of the current owner as you requested. Please find enclosed copy(s) of the computer record of the claim(s) noting the change in claimant. Please review the record(s) and if you have any corrections, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

Encls:

c.c. First American Title Co.

MICROFILMED
FEB 23 1993

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

Water Right Number(s): A37-07754; A37-02780; A37-02778; A37 00856

Name and Address of
Former Claimant:

IDAHO STATE BANK

P.O. Box 909

Glenns Ferry, Idaho 83623

New Claimant(s):

GARY DEMOSS AND HELEN DEMOSS

New Mailing Address:

New Telephone Number: (208) 257 - 3572

Does the change in ownership result in a splitting of the
water right claimed? yes XX no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

Attach proof of ownership

Describe proof attached: Warranty Deed

Signature of New Claimant(s):

Gary DeMoss

Helen DeMoss

Date: JUNE 8 1990

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 6/18/90

By: AL

Further Action Needed:

Further Action Taken

Date: 6/18/90

By: AL

Final Review and Data-Entry

MICROFILMED
FEB 23 1993

RECEIVED

JUN 14 1990

Department of Water Resources
Southern Region Office

FIRST AMERICAN TITLE COMPANY
P.O. BOX 446
GOODING, IDAHO 83330
(208) 934-4427

DATE: JUNE 13, 1990

TO: DEPARTMENT OF WATER RESOURCES
ATTN: ALLEN
2148 - 4TH AVENUE EAST
TWIN FALLS, IDAHO 83301

RE: G-001415 / E-00920

DEMOSS / IDAHO STATE BANK - MASON

Gentlemen:

Enclosed please find the following documents:

**CHANGE IN OWNERSHIP OF NOTICE OF CLAIM
**WARRANTY DEED - PLEASE NOTE THIS IS A CONTRACT OF SALE AND THE
DEED WILL NOT BE RECORDED UNTILL THE FINAL PAYMENT IS MADE -

If you have any questions, please feel free to call our office.
Thank you for your business.

Sincerely,

FIRST AMERICAN TITLE COMPANY

Cindy Bolte

CINDY BOLTE
ADMINISTRATIVE ASSISTANT

Enclosures

MICROFILMED
FEB 23 1993

WARRANTY DEED

FOR VALUE RECEIVED, Idaho State Bank, the Grantor, does hereby grant, bargain, sell, and convey unto Gary DeMoss and Helen DeMoss, husband and wife, the Grantee, whose current address is HC 69 Box 3900, the following described property in Gooding County, Idaho:

Township 5 South, Range 13 East of the Boise Meridian

Section 3, Lot 4, SW 1/4 NW 1/4, NW 1/4 SW 1/4.

Section 4, Lots 1 and 2, S 1/2 NE 1/4, SE 1/4, E 1/2 SW 1/4.

Section 9 N 1/2 NW 1/4, SE 1/4 NE 1/4, W 1/2 NE 1/4, SE 1/4 NW 1/4, E 1/2 SW 1/4, W 1/2 SE 1/4.

Together with Idaho Water License No., R-864/37-2778 consisting of 1210 acre feet of Bray Lake and all other water rights, rights-of-way and easements appurtenant to the above-described premises.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that it is free from all encumbrances except easements, covenants, and restrictions currently of record, and that it will warrant and defend the same from all lawful claims whatsoever.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining; SUBJECT TO all easements, rights of way, restrictions, and reservations of record.

DATED effective the 8 day of June, 1990.

JK

IDAHO STATE BANK

SEE EXHIBIT "A" ATTACHED
HERETO.

By: *James E. Kevan*
JAMES E. KEVAN

STATE OF IDAHO)
County of ADA) ss.

On this 8th day of June, 1990, before me,
Linda M. Anderson, the undersigned, a Notary Public in and for said state,
personally appeared JAMES E. KEVAN, known or identified to me to be the President of Idaho

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FEB 23 1993

State Bank, the corporation who executed the instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Linda M. Adamson
NOTARY PUBLIC FOR IDAHO
Residing at BOISE, IDAHO
My Commission Expires 5/22/94

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FEB 23 1993

EXHIBIT 'A'

INCLUDING BUT NOT LIMITED TO THE FOLLOWING WATER RIGHTS;

APPRAISAL PERMIT: #377754 FOR 1,565 ACRE FEET OF STORAGE AND 6.26 CFS

DECREED LICENSE; #370856 FOR 32 CFS OF STORAGE PRIORITY 2/1/17

LICENSE: #372780 FOR 157 CFS OF STORAGE OF 905 ACRE FEET

LICENSE; #32-2778 FOR 80 CFS STORAGE 1210 ACRE FEET

DOMESTIC WELLS ARE A37-11479
A37-11480

ALL ADJUDICATION FEES HAVE BEEN PAID

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SOUTHERN REGION CLAIMS IN STAX AS OF 2/25/91

(This List FAXed to Region with copy to Anna Baumhoff 2/25/91)

BLAINE CO....
BLAINE COUNTY: BALDWIN, CLYDE, A37-00433A
DURKHEIMER, ALAN, A37-12829
Woodbury, Lyle D.
All signed/notarized, d-e not completed.
A37-00198A, A37-00197D, A37-11910, A37-01135, A37-01026A
The Nature Conservancy
All signed/notarized; no d-e
Two unnumbered claims plus A37-00351B, A37-00352A, A37-
12410 through A37-12413, A37- 02580, A37-02609, A37-02609C
Fassett, Helen M.
All signed/notarized, d-e not completed. Problems per note
from Carter Fritschle attached.
A37-08278, A37-0425D, A37-04151, A37-12363, A37-12366 and
A37-12367
Sorenson, Milton J. - A37-12439
Gibson, Jean/Lindstrom, Mary/Babin, Doris/Mathews, Donna
A37-10023 data entered w/o rec't #; some consumptive use
probs.
Bitton, Jeff/Debra
One claim only; checklist not complete; need add'l \$10.00;
based on decree.

GOODING COUNTY:

Idaho State Bank
A37-00856, A37-02780, A37-02778, A37-07754, A37-11480. A
real mess. Don Shaff has done some work on these four
claims, for Bray Lake Ranch. His notes are all attached,
with the comment, "Quick Review".

TWIN FALLS CO....
STANLEY/ORR, A47-11863

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FEB 23 1993

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: A37-02778
Date Received: 8/22/1988
Receipt No: C002293
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IDAHO STATE BANK
Address: P. O. BOX 909
GLENN'S FERRY, ID 83623 208-366-7492

2. Date of Priority: FEB 26, 1957

3. Source: DRY CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	13E	35	SW	NE	NE	R	GOODING
	14E	6	NE	SE	SE		GOODING

5. Description of diverting works:
DIVERSION DAM, CANAL, BRAY LAKE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	4.840		726.00
IRRIGATION STORAGE	01/01	12/31			1210.00
IRRIGATION FROM STORAGE	04/01	10/31			1210.00
DIVERSION TO STORAGE	01/01	12/31	80.000		

7. Total Quantity Appropriated is:
80.000 C.F.S. (and/or) 1210.00 A.F.A.

8. Total consumptive use is 726.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	13E	3	NW	NW		IRR	22.0
			SW	NW		IRR	28.0
			NW	SW		IRR	2.0
			Section Acres				52.0
		4	NE	NE		IRR	18.0
			SW	NE		IRR	7.0
			SE	NE		IRR	32.0
			NE	SW		IRR	11.0
			SE	SW		IRR	24.0
			NE	SE		IRR	5.0
			NW	SE		IRR	34.0
			SW	SE		IRR	37.0
			SE	SE		IRR	11.0
			Section Acres				179.0
		9	NW	NE		IRR	8.0
			NE	NW		IRR	3.0
			Section Acres				11.0
			Total Acres				242.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
37-00856, 37-02780, 37-07754

14. Remarks:
THE STORAGE SHOWN IN THIS RT. IS KNOWN AS STROUT RESERVOIR &
COVERED IN PART BY RT. 37-2780. RESERVOIR LOCATED IN SWNE, S35,
T4S, R13E.
RESERVOIR IS USED FOR STOCK WATER BY BLM & STATE GRAZING PERMITS.

15. Basis of Claim: LICENSE
Water Right Number: R864

37-02778

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 39356

Ident. Number 437-02778Date Received 8-22-88Receipt Number COO2293

NOTICE OF CLAIM
TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Idaho State Bank Phone (208) 366-7492

Mailing Address P.O. Box 909 Glens Ferry, ID Zip 83623

2. Date of Priority (Only one (1) per claim) Feb. 26, 1957

3. Source of water supply (a) Dry Creek
which is tributary to (b) Big Wood River

4. a. Location of existing point of diversion is: Township 4 So. Range 14 E. Section 6,
NE 1/4 of SE 1/4 of SE 1/4, Govt. Lot, B.M., County of Gooding

Additional points of diversion if any: 4 S. - 13 E. Sec. 35 SW-NE-NE

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section , 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section , 1/4 of 1/4 of

 1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc);
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Diversion works consist of cement dam
6' high approx. 20' long four-4' gates with side wing 25' x 3' high and
baffle Dam 20' x 4' on down stream side. Canal is approx. 6 miles to Bray
Lake Reservoir, See Plat. Dam was originally built in April 1915 to
height of 10' - 1950 Dam was raised to 24' in height and in 1958 was raised
again to its present height of 36'. Dam is earth fill construction 1800'
long and stores approx. 4400 acre feet.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Storage purposes from Jan. 1 to Dec. 31 amount 80.0 or 1210

For Irrigation purposes from April 1 to Oct. 31 amount 4.84 or 726

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 80.0 (cfs) and/or (b) 1210 (acre feet)

8. Total consumptive use claimed is 726 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) N.A

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5-S	13-E	3					22	28				2							52
"	"	4	18		7	32					11			24	5	34	37	11	179
"	"	9		8			3												11

Total number of acres irrigated 242

11. In which county (ies) are lands listed above as place of use located? Gooding

12. Do you own the property listed above as place of use? Yes x No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
37-0856-R936-37-2780-37-7754 or None ()

14. Remarks: Reservoir is used for stock water by BLM and State Grazing permits

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Last Name Idaho State Bank Ident No. R864-37-2778

Copies: White -State, Yellow-Claimant

Right of Way B.L. 045478

RECEIVED
U.S. LAND OFFICE
BLANK 001-18410
Date AUG 19 1930
Hour 9:00 AM

045418

MAP OF STROUT RESERVOIR
SUPPLY CANAL & LATERALS
TO ACCOMPANY APPLICATION
FOR PERMIT

I hereby certify
that unpatented land
is affected by this project

Theodore Peterson
acting Register

Map No. 116

BY

Bliss Idaho

Aug 6th 1930

Notes in Div. E 9/24/30 L.B.

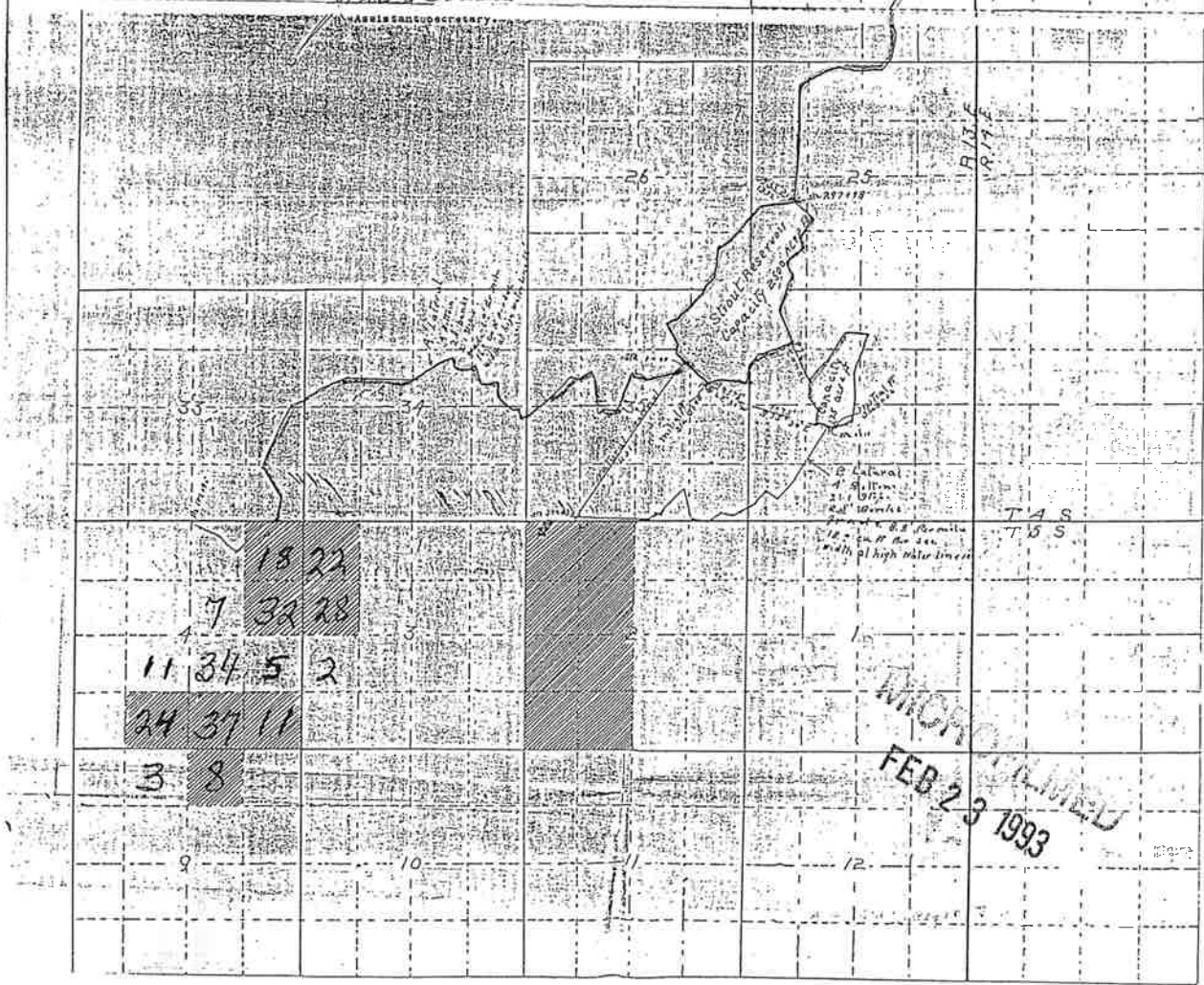
DEPARTMENT OF THE INTERIOR.

MAR 11 1931

Pursuant to the provisions of the act of March 3, 1891 (26 Stat. 1095), and Sec. 2, of the act of May 11, 1898 (30 Stat. 404), this map is approved, subject to all valid existing rights, but reserving right of way for canals or ditches constructed by authority of the United States.

Wm. H. Edwards

Assistant Secretary



715.2
198.3

B27
(4246)
-559

145

84.9

58.6

19.1

49.1

44.6

26.3

3.25

26.3

-559

10.2

9.1

609.3
105
5
198.7

102.5

2.7

26.3

Sw. Pasture
Sw. Pasture
Prop. Line

Sw. Crop
Sw. Pasture
Prop. Line

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License x Permit _____
Decree _____
If applicable provide IDWR Water Right Number R864- 37- 2778
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Chairman of the Board
Title

of Idaho State Bank, that I have signed the foregoing
Organization

document in the space below as Chairman of the Board of Idaho State Bank
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization Ch. Board, Idaho State Bank Date 8-12-88

State of Idaho/or _____)
County of Elmore) SS.

Subscribed and sworn (or affirmed) before me this 12th day of Aug 19 88

SEAL

Notary Public

Residing at

My Commission Expires

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

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FEB 23 1993

TO: D. Allen

FROM: D. Shaff *DS*

DATE: October 4, 1988

*Claim File Copy
No Attachment*

RE: Adjudication Fee Refund

With the processing review of Claims A37-00856, A37-02780, A37-02778 and A37-07754 and a telephone conversation with Mr. Don Rowe, property manager for Idaho State Bank, I have concluded the fees paid for these claims were in excess of the amount required. After submitting the claims, Mr. Rowe supplied a farm plan map delineating the fields and number of acres irrigated. The farm plan map states in the upper left hand corner 715.3 acres are irrigated. Mr. Rowe said in a telephone conversation the morning of October 4, 1988, the total of 715 acres is the amount he wished to claim.

Please process a refund of \$105 payable to Idaho State Bank mailed to the bank c/o S. Donald Rowe, property manager, P.O. Box 128, Kuna, Idaho 83634. A copy of the receipt for the fees on these claims is attached.

*1
C002296*

*MICROFILMED
FEB 23 1993*

JULY, 1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Idaho State BankCLAIM IDENT. NO. 137-02778DATE RECEIVED 8-22-88 CK # 8488AMOUNT \$ 9203 of 4

YES

NO

1. Is the name and address complete with zip code? ☒2. Is priority date entered? ☒

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd). A Permit is required for surface water developed after May 20, 1971 (except for instream stockwater). ☒3. (a) Is a source entered? ☒(b) Is a tributary to entered? (if required) ☒4. Is the legal description of the p.d. complete? ☒5. Is there a description of the diverting works? ☒6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form. ☒Is the period of use included? ☒Is a quantity claimed for each use? ☒7. Is a total quantity claimed entered? ☒8. Is the consumptive use correct? ☒If required is a consumptive use entered? ☒9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. ☒10. Is (are) the place(s) of use entered? ☒11. Is (are) the county(ies) entered? ☒12. Is the ownership of p.u. checked? ☒13. Are other water rights listed or "none" checked? ☒14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒15. Is the basis of the claim checked? ☒16. Is the claim signed by the claimant? ☒Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒Has the claim been signed, sealed, and dated by a notary? ☒Is the fee enclosed correct? ☒Should this claim be receipted and data entered? ☒If this claim is based on an existing water right, has the identification number been entered? ☒

N/A

Claim checked by: [Signature]

Comments: _____

FEB 23 1993