

10/13/2006

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

RIGHT NUMBER: 75-10460

NAME AND ADDRESS: ROBERT D MOSHER
54 PARMENTER RD
PO BOX 213

CARMEN ID 83462-0213

FRANSICKA MOSHER
54 PARMENTER RD
PO BOX 213
CARMEN ID 83462-0213

SOURCE: WASTE WATER

TRIBUTARY: CARMEN CREEK

QUANTITY: 0.120 CFS

PRIORITY DATE: 05/01/1915

POINT OF DIVERSION:

T22N R22E S3 NWSENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/01 11/01

0.120 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T22N R22E S03 SWNE 6.00

6 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

05/17/2006

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

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NAME AND ADDRESS: ROBERT D MOSHER
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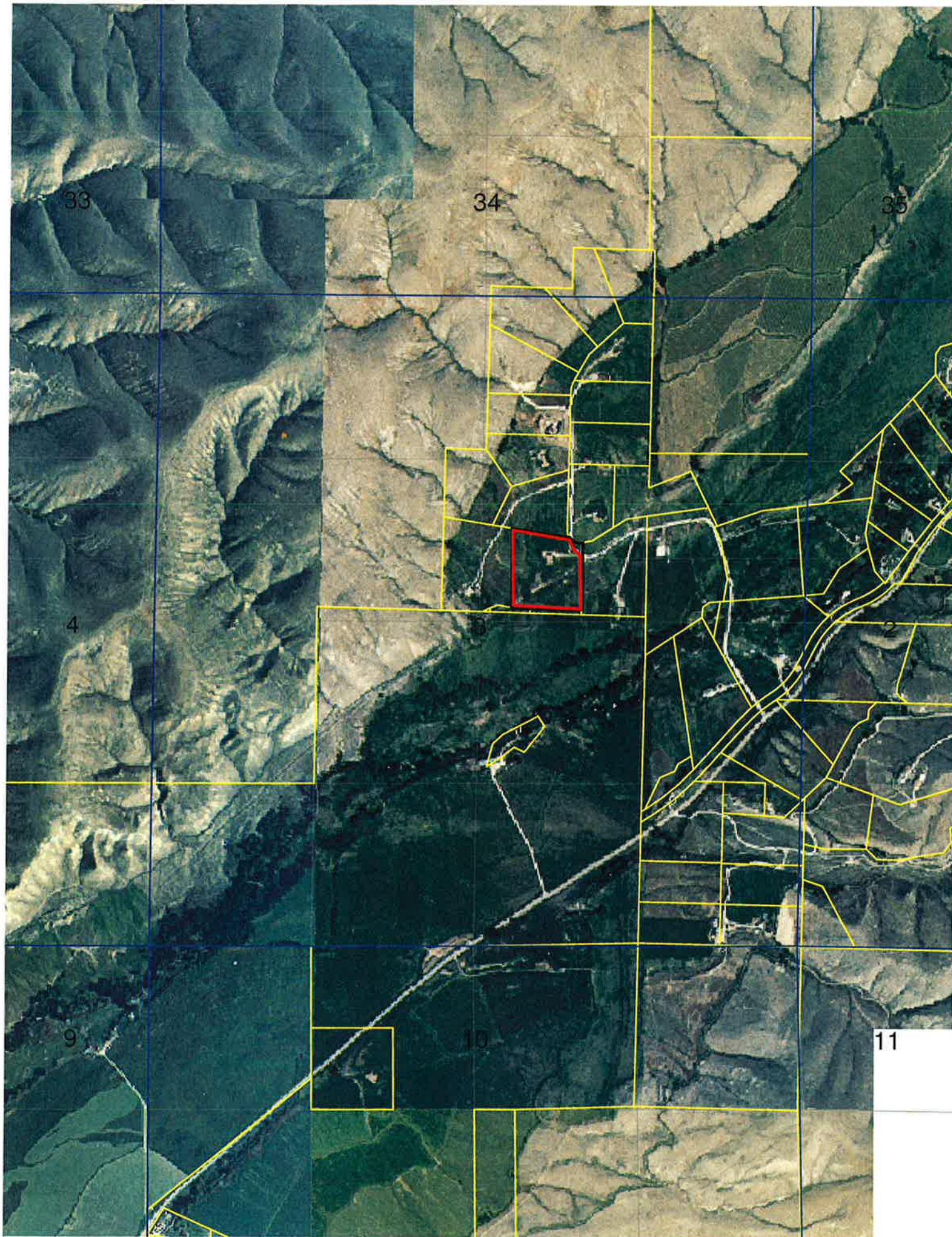
FRANSICKA MOSHER
54 PARMENTER RD
PO BOX 213
CARMEN ID 83462-0213

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

No lawful appropriation shown.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public subject to appropriation. This is also included where a right was determined to exist in a prior adjudication.



11/20/2006

RECEIVED

DEC 18 2006

DEPARTMENT OF
WATER RESOURCES

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: 12/13/2006

Water right number: 75-10460

ROBERT D MOSHER
54 PARMENTER RD
PO BOX 213

CARMEN ID 83462-0213
Telephone Number: (208)756-4607

FRANSICKA MOSHER
54 PARMENTER RD
PO BOX 213
CARMEN ID 83462-0213
Telephone Number: (208)756-4607

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: 12-12-06 SIGNATURE: Robert D Mosher

Please print your name: Robert D Mosher

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED ✓
DEC 19 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A75 10061T A75 10062R A7500069K
A75 00070K A75 02025E A7510460

1. ☒ No Change NAME IS SAME

☐ NEW OWNER:

☐ No Change ADDRESS

☒ NEW ADDRESS: P.O. Box 213 Carmen, Id 834662

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. ☐ No Change — POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: _____

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

6. ☒ No Change - WATER USES

☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Jack Z. Ellis

Signature

11/20/2006

RECEIVED

DEC 18 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

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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: 12/13/2006

Water right number: 75-10460

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PO BOX 213

CARMEN ID 83462-0213
Telephone Number: (208)756-4607

FRANSICKA MOSHER
54 PARMENTER RD
PO BOX 213
CARMEN ID 83462-0213
Telephone Number: (208)756-4607

RECEIVED
DEC 21 2006
IDWR/North

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: 12-12-06

SIGNATURE:

Robert D Mosher

Please print your name:

Robert D Mosher

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED ✓

DEC 18 2006

13

List of all water rights used at the same place and for the same purposes.

75-0051 Thru 75-0057 (Exchange Rights)

75-0069

75-0070

75-2025

Irrigation waste water. Waste water from irrigation flows into existing 2-3 foot ditch. Point of diversion is T.S. 22N, Rng. 22E, Sec 3, NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ County of Lemhi.

Mosher

MICROFILMED

DEC 15 1992

Attachment #1

001152

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: A75-10460
Date Received: 5/02/1990
Receipt No: M006863
Received By: RAJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANSICKA MOSHER 208-756-4607
Address: BOX 996
SALMON, ID 83467

AND

Name: ROBERT D. MOSHER 208-756-4607
Address: BOX 996
SALMON, ID 83467

2. Date of Priority: MAY 01, 1915

3. Source: WASTEWATER Trib. to: CARMEN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
22N	22E	3	NW	SE	NE		LEMHI

5. Description of diverting works:
WASTEWATER FROM IRRIGATION FLOWS INTO EXISTING 2-3 FOOT DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.120		

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

8. Total consumptive use is 18.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
22N	22E	3	SW NE		IRR	6.0
Section Acres						6.0
Total Acres						6.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

A74-10062R, 00069K, 00070K, 02025E, 10061T

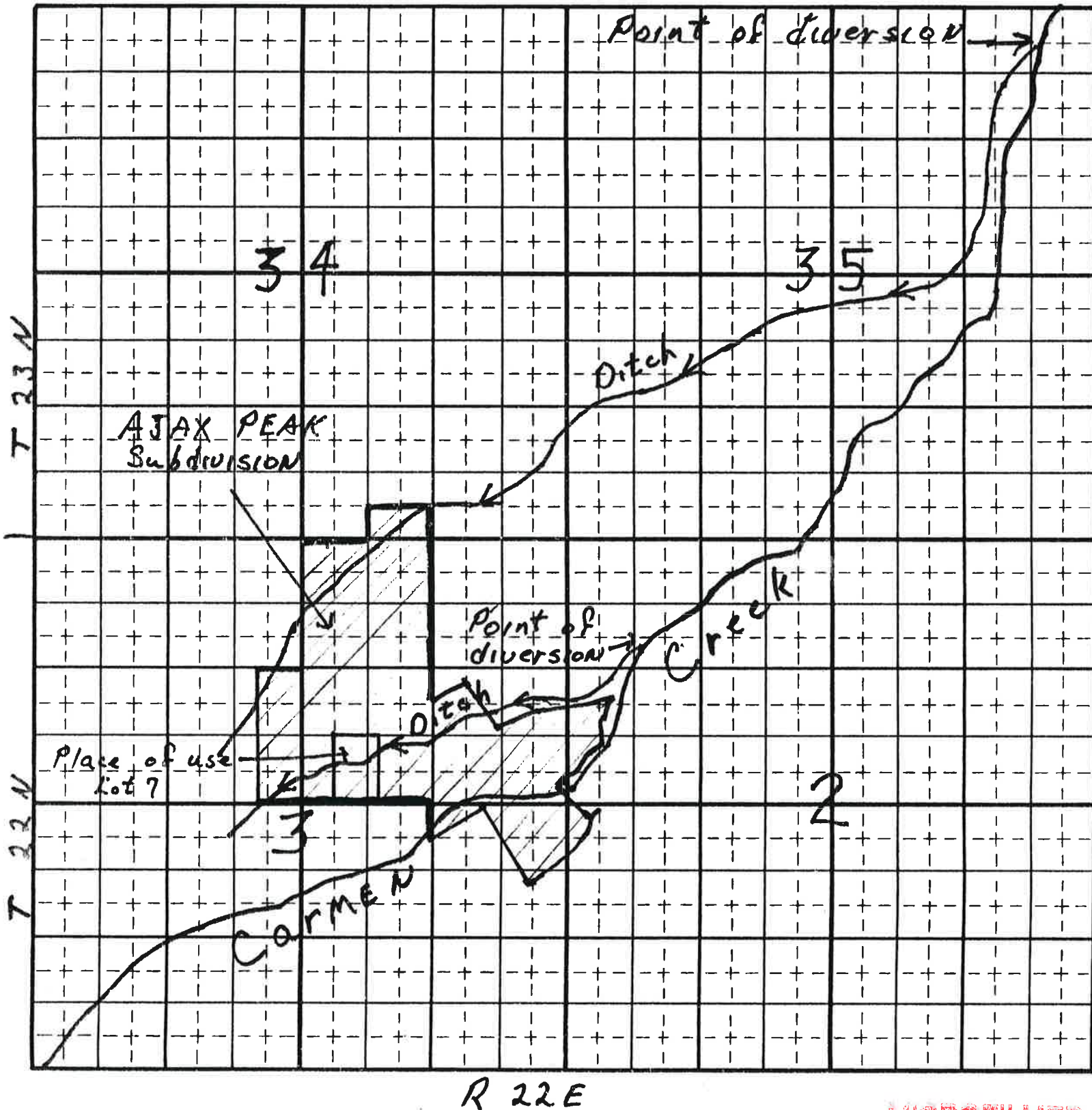
14. Remarks:

15. Basis of Claim: BENEFICIAL USE

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: $\frac{1}{4}$ inches equals 1 mile

Scale: 4 inches equals 1 mile



MICROFILMED

DEC 15 1992

Last Name

Mosher

Ident No.

Copies: White-State, Yellow-Claimant

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

A75-10460

Date Received

5-2-90 RDT

Receipt Number

MO06863

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Robert D. and Franciska Mosher Phone (208) 756 4607
Mailing Address Box 996 Salmon ID Zip 83467

2. Date of Priority (Only one (1) per claim) May 01 1915

3. Source of water supply (a) Irrigation Waste water
which is tributary to (b) Carmen Creek

4. a. Location of existing point of diversion is: Township 22 N Range 22 E Section 3,
NW 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Lemhi

Additional points of diversion if any: _____

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

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

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 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. Waste water from irrigation

Flows into existing 2-3 foot ditch

A7510460



MICROFILMED

DEC 15 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Apr 1 to Nov 1 amount 12 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 12 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 18 acre feet per annum.

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

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	
22N	22E	3			6														6

Total number of acres irrigated 6

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

12. Do you own the property listed above as place of use? Yes ☒ 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.
See attachment #1 or None ()

14. Remarks:

Last Name Mosher Ident No. _____

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DEC 15 1992

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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 1

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

Signature of Claimant (s)

Robert D Mosher

Date 2 May 1990

Franciska Mosher

Date 2 May 1990

For Organizations: I do solemnly swear or affirm that I am _____

of _____, Title _____, that I have signed the foregoing

document in the space below as _____

Title _____

of _____

Organization _____

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

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho / or _____)

County of Lemhi)

SS.

Subscribed and sworn (or affirmed) before me this _____

2nd

day of _____

May

19 90

SEAL

Notary Public _____

Sara L. Johnson

Residing at _____

Salmon

My Commission Expires _____

6/21/91

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 Mosher

Ident. Number _____

MICROFILMED

DEC 15 1992

Copies White-State, Yellow-Claimant

\$59. x

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: A75-10467
Date Received: 5/03/1990
Receipt No: M006870
Received By: RAH

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY E. BOYCE 208-756-3745
Address: RT. 1, BOX 127
SALMON, ID 83467
OR
Name: VICKI BOYCE 208-756-3745
Address: RT. 1, BOX 127
SALMON, ID 83467

2. Date of Priority: SEP 01, 1930

3. Source: WASTEWATER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
21N	22E	8	NE	NW	SW		LEMHI

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.180		

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

8. Total consumptive use is 22.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A75-10467

Page 1

Date: 05/03/90

MICROFILMED

DEC 15 1992

A7510467



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
21N	22E	8	NW SW		IRR	9.0
Section Acres						9.0
Total Acres						9.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:
PROPERTY ALSO DESCRIBED AS LOT 1, CEMETERY LANE SUBD.

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

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 Gary E. Bayne Date: _____
Date: _____

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of May 19 90

Seal

Helen Harrington
Notary Public

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

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