

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: A37-02567B
Date Received: 10/25/1988
Receipt No: MOO 1769
Received By: gg

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LLOYD C. MOORE
Address: 184 GANNETT PICABO R.
BELLEVUE, ID 83313

AND/OR

Name: MARILYN P. MOORE
Address: 184 GANNETT PICABO RD.
BELLEVUE, ID 83313-0000

208-788-3148

2. Date of Priority: MAR 09, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	19E	7	NE	NE	SW		BLAINE

5. Description of diverting works:
WELL, PUMP AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.760		

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-02567B

Page 1

Date: 10/25/88

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FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	7	NE	SW		IRR	40.0
Section Acres							40.0
Total Acres							40.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
37-00480

14. Remarks:
TRANS. 3210.

15. Basis of Claim: LICENSE
Water Right Number: 25527

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): Lloyd C. Moore Date: 10-25-88

Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of October 19 88

Ernest Carlson
Notary Public

Seal

Residing at Alto Falls, ID
My Commission Expires 14 June 1994

12/06/2006

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

RIGHT NUMBER: 37-2567B

NAME AND ADDRESS: MARILYN P MOORE
184 GANNETT PICABO RD
BELLEVUE ID 83313

LLOYD C MOORE
184 GANNETT PICABO RD
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.760 CFS
133.000 AFY

PRIORITY DATE: 03/09/1955

POINT OF DIVERSION:

T01N R19E S7 NENESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.760 CFS 133.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S07 NESW 38.00

38 ACRES TOTAL

Right Nos. 37-480D and 37-2567B are limited to the irrigation of a combined total of 38 acres in a single irrigation season.

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

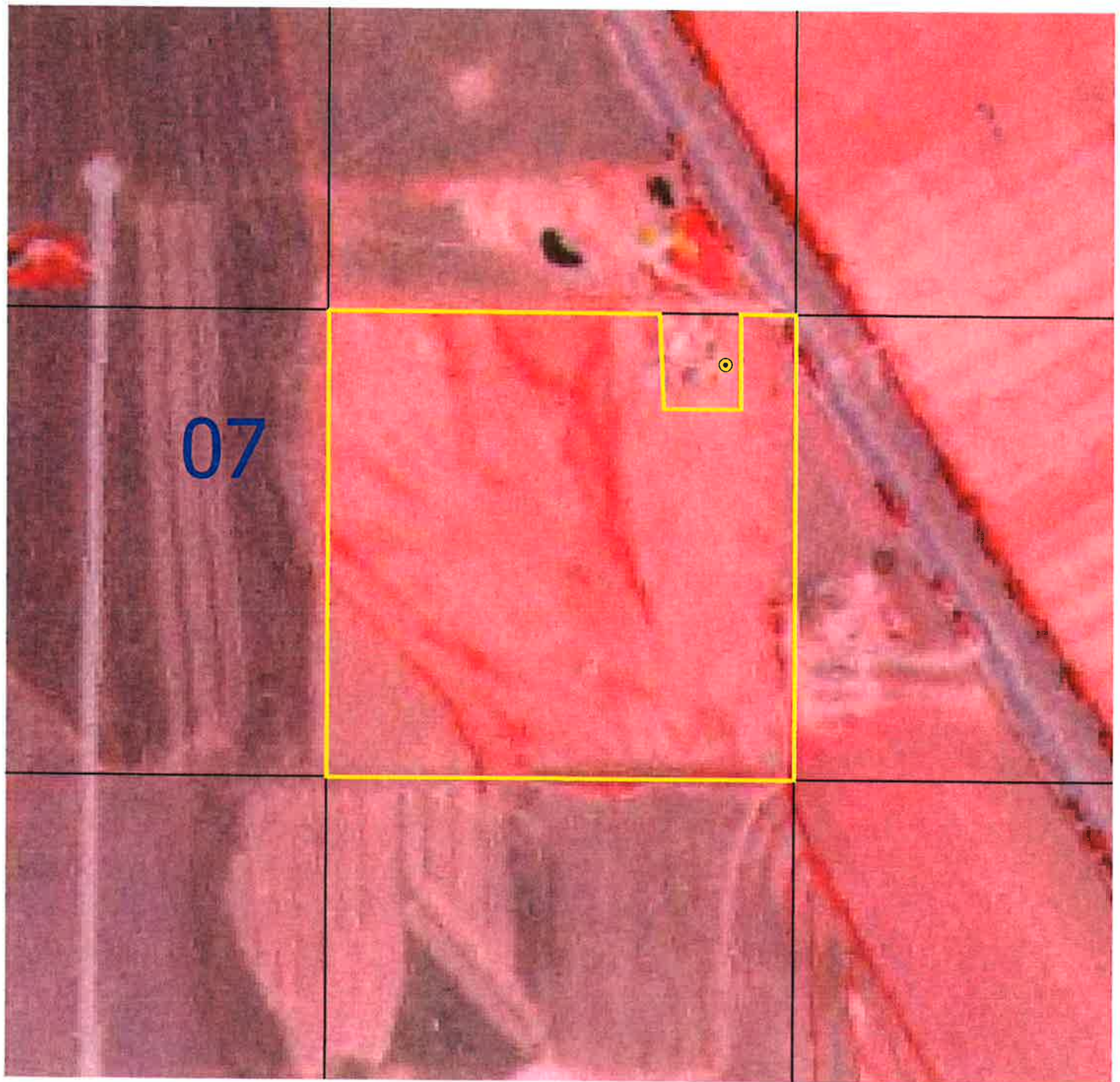
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

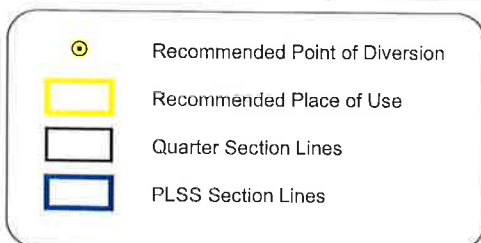
Idaho Department of Water Resources

Right(s): 37-2567B

Recommended Place of Use
TWP 01N RNG 19E S07
Prepared December 6, 2006



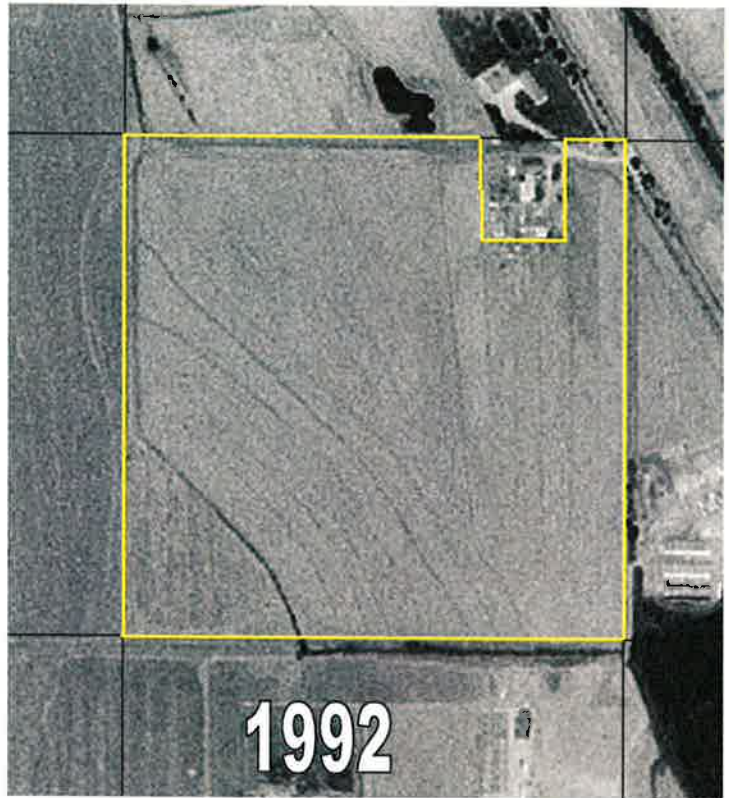
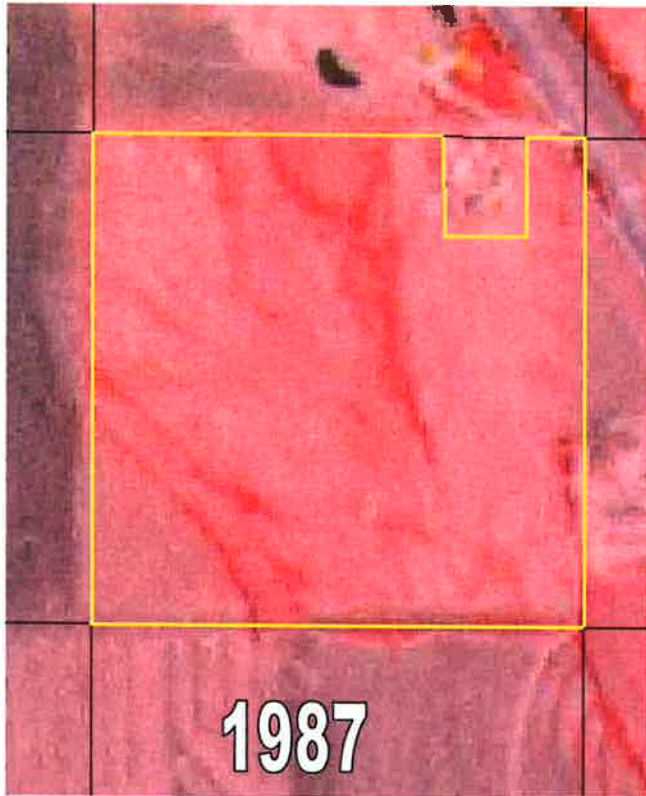
660 0 660 1320 Feet



GIS Place of Use Presentation
1987 NAPP Aerial Photography

Prepared by Amanda Kriwox

37-480D & 37-2567B



480D: Watermaster is delivering this right via the District Canal

1987 imagery indicates @ 38 acres of irrigation, not the claimed 40. Will recommend less irrigation but same diversion
Will adjust season of use to standard: 4-15 to 10-31

37-2567B: Is part of the licensed place of use, however apparently in 1985 a transfer was filed (#3210) to split this license and drill a new point of diversion. The transfer was approved in 1985 but it seems that the well was not actually put to beneficial use until 1993, 8 years later. [Possible grounds for disallowal](#)?????

Memo in file from Jim Stanton questioning number of claimed acres as research & field exam that he conducted found 38.5 acres of irrigation and he stated that historically it was less than that; apparently in 1995 @ 3 acres in the SW corner which had not been irrigated under the historical gravity system began being irrigated under sprinklers.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-2567

Notice is hereby given that Lloyd C. &/or Marilyn P. Moore of Bellevue, Idaho 83313 have applied to the Department of Water Resources for a change of point of diversion of a portion of a right from a groundwater source. The right sought to be changed is evidenced by license No. 37-2567 and is recorded as follows:

Amount: 8.97 cfs

Priority: March 9, 1955

Point of Diversion: SWNE, NENW, Sec. 1, T1N, R18E, B.M., Blaine County

The water is used for irrigation of 465.98 acres within the W1/2NE1/4, E1/2NW1/4, SESW, SE1/4, Sec. 1; NENE, Sec. 12, T1N, R18E; NW1/4, N1/2SW1/4, Sec. 7, T1N, R19E

PORTION OF RIGHT TO BE CHANGED

Amount: 0.76 cfs

Point of Diversion: SWNE, NENW, Sec. 1, T1N, R18E. B.M., Blaine County

Place of Use: NESE, Sec.7, T1N, R19E for irrigation of 40 acres

PORTION TO BE CHANGED AS FOLLOWS:

Amount: 0.76 cfs

Point of Diversion: NESW, Sec. 7, T1N, R19E, B.M., Blaine County

Place of Use: No change

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before October 14, 1985.

A.KENNETH DUNN
Director

Published in Wood River Journal on Sept. 26, & Oct. 3, 1985.

JUN 30 1993

LLOYD C. MOORE
184 GANNETT PICEBORO RD.
BELLEVUE, ID. 83313
OCTOBER 26, 1988

To any and all parties whom it may now or in the future, concern:

The submission of the following claims, I.D. A37-02567B, A37-004800^{LCR} and A37-12016, and payment of Filing Fees, are submitted & paid by the undersigned by Protest.

By said submission & payment I do NOT Relinquish or Waive any rights to litigation by myself or other parties as the case may be, Nor do I Waive any claims that may be granted by subsequent court action for Refunding^{Filing} Fees, Court Costs, ATTORNEYS FEES, or other costs or fees directly related.

I hereby Protest this adjudication as it unnecessarily places my water rights in jeopardy - Rights Bought & Paid for in the purchasing of the land for which it was claimed & maintained by use & payment of annual fees. Levied by ranch dist #45 & water district #37.

Lloyd C. Moore

STATE OF Idaho , COUNTY OF Blaine

ON THIS 26 DAY Oct , 1988
BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID
STATE, PERSONALLY APPEARED

Lloyd Moore

KNOW TO ME TO BE THE PERSON WHOSE
NAME he SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT he
EXECUTED THE SAME.

Wicki L. Dick

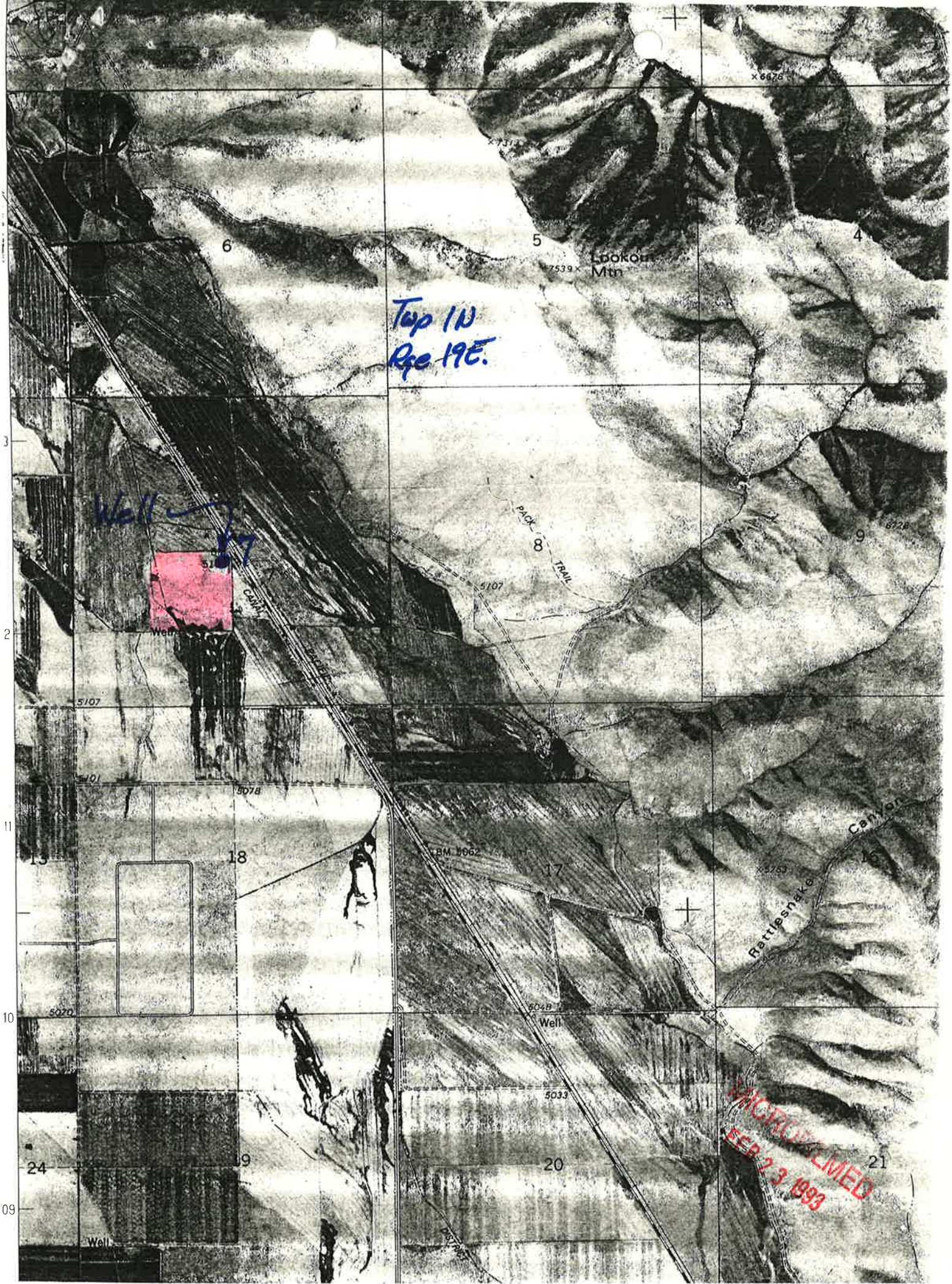
NOTARY PUBLIC

RESIDING AT Bellevue
COMM. EXPIRES 2/27/92

, IDAHO

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FEB 23 1993



Top 1N
Rge 19E.

Well 87

UNCLASSIFIED
FEB 23 1993

TO: File

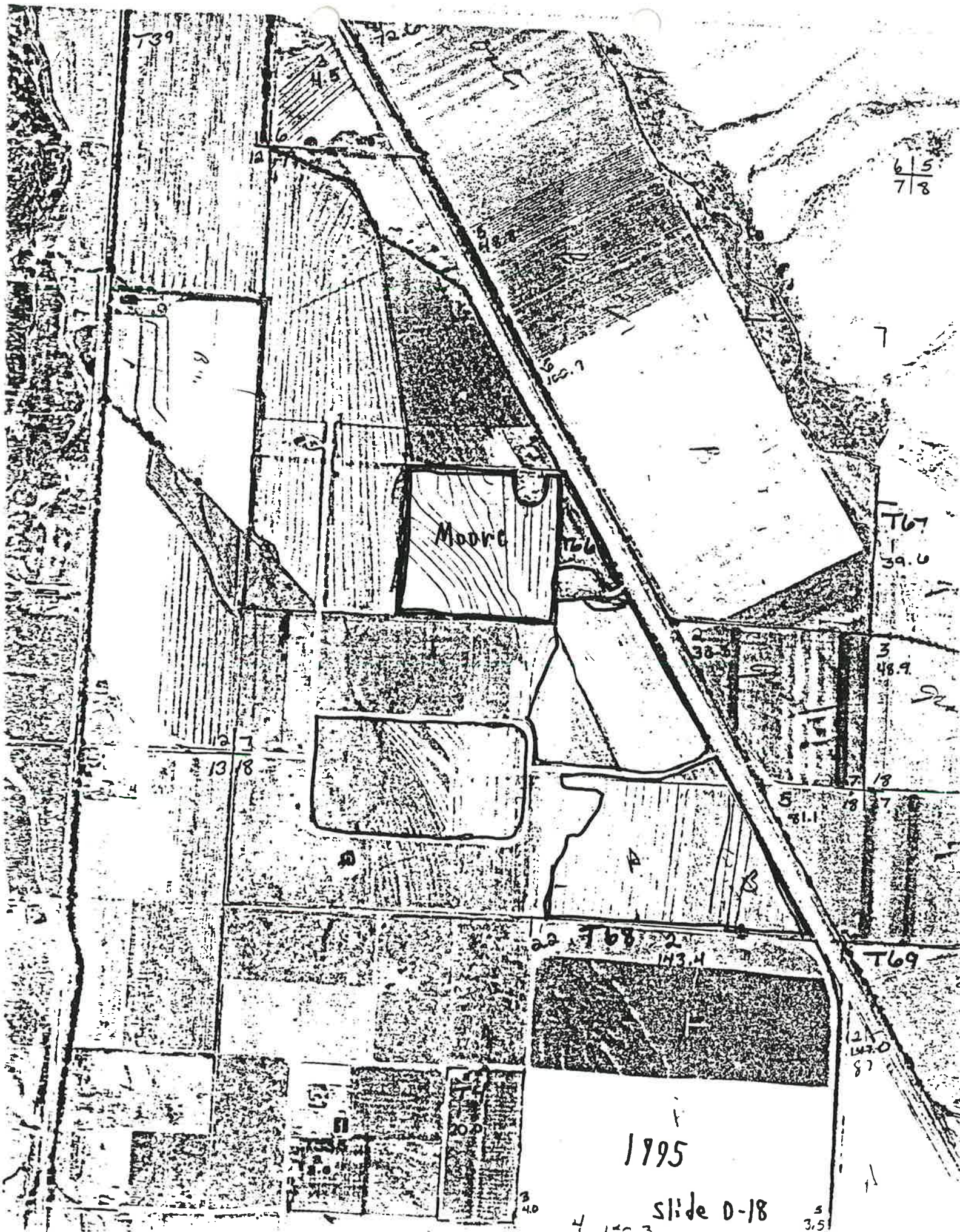
DATE: November 21, 1996

FROM: Jim Stanton

SUBJECT: SRBA Claims A37-00480D, 02567B, Lloyd Moore

I have reviewed the ASCS aerial photos and slides for the Bellevue Farms Subdivision for 1987 thru 1996. This subdivision surrounds the Moore property on 3 sides. I thought Moore was in the subdivision, so I made a record of the irrigation on his property during these years also. His property was irrigated by gravity thru 1993; no data was found for 1994. Then in 1995, the ground was irrigated by sprinkler; this also occurred in 1996. The old ditches that were prominent thru 1993 were no longer there in 1995. Under gravity irrigation, the southwest corner of the Moore property (a little over 3 acres) was dry. In 1995 & '96, however, this ground has been irrigated. So this appears to be an illegal increase in the number of historically-irrigated acres. The home in the northeast corner of the property has been there since 1977 according to a domestic claim filed by Moore. The home area covers about 1.5 acres.

Per conversation with Allen, memo goes to SRBA files. No action is proposed regarding possible illegal diversion until claim review is completed. Owner has claimed 40 acres irrigated.





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

Lloyd Moore
184 Gannett Rd
Bellevue, ID 83313

5/27/1994

RE: Use of water

Dear Mr. Moore,

I am writing, as requested, to document our conversations this past week. On 5/24 you inquired whether we could come up and do a field exam on a right that you have recently put to use.

As I could not readily identify the water right I promised to research the matter and get back in touch with you. A computer database and paper file search revealed that a transfer, #3210, to split and make a new point of diversion (well) was filed in 1985. This well would be located in T1N R19E Sec7 NE1/4 of the SW1/4. The transfer was approved in 1985.

Our conversations indicated that you finally put the water to beneficial use in mid summer of 1993. You wanted to know when we could do a field exam on the system. I informed you that field exams are not conducted on transferred water rights, under Section 42-222, Idaho Code.

If you have any questions please contact me at the above phone or address.

Sincerely,


Douglas Jones, P.E.
Water Resources Engineer

cc: file A37-02567

MICROFILMED
AUG 24 1994