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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Department of Water Resources
Southern District Office

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Don B. Moss and Arlene G. Moss
(Name of Claimant)

Box 123, Rockland, Idaho 83271 Telephone No. 548-2233
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1935

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
un-named springs raising in the NE 1/4 of Sec. 23 & N 1/4 NW 1/4 Sec. 24, T 10S, R 30 E.B.M.

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>.004 cfs</u>	Use <u>stock watering</u>	Period of Use From <u>Jan 1</u>	To <u>Dec. 31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) .004 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 NW 1/4, Sec. 24 Twp. 10 S Rge. 30 B.M., County of Power
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. diversion dam installed across the channel to dam up the entire flow of water.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10S	30E	24					X												

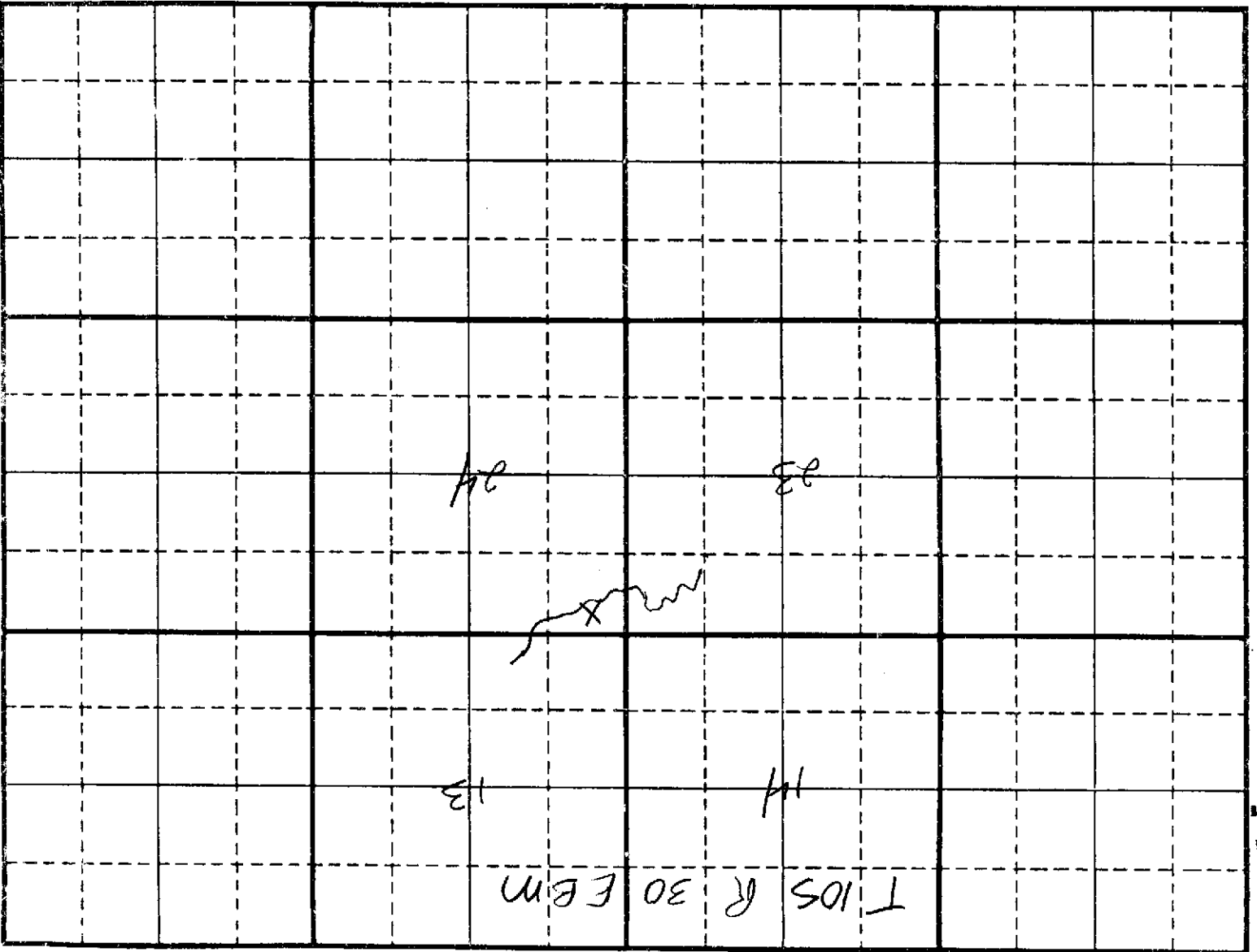
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: stock watering

NOTE: Include here the type and number of stock watered: 150 cows, 20 horses

(7) If you are claiming water as a member of an organization, list name of organization: n/a

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Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of _____
Power _____
ss. _____
)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 26th day of June 19 85.
Don B. Moore
(Claimant)

Notary Public
Residing at American Falls, Idaho

My commission expires _____ is for life

Received by _____
Prelim. check by GF
Date 8/27/85
FOR DEPARTMENT USE ONLY
Exception filed by: _____
Date 1-01-85
Forwarded to _____
Date _____
claimant by: _____
Date _____
Published in _____
Dates 9/11 + 9/18/85
800.00 fee received by Don B. Moore
8/6/85



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

August 16, 1985

Lyle D. Eliassen
Attorney at Law
202 Idaho Street
American Falls, Idaho 83211

Re: Claim to a Water Right - Don B. & Arlene G. Moss

Dear Mr. Eliassen:

Before we can continue to process the above referenced claim to a water right we need the priority date, item (1).

If you have questions regarding this matter, please feel free to contact this office.

Very truly yours,

Mary A. Newby
Sec/Office Coord.

Encl:

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Lyle D. Eliassen

Attorney At Law

202 Idaho Street
American Falls, Idaho 83211
(208) 226-5138

August 5, 1985

State of Idaho
Department of Water Resources
Southern Region Office
1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 833301

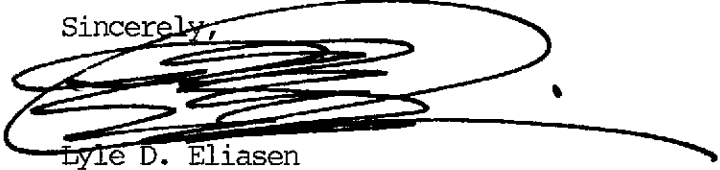
Dear Sirs:

Enclosed please find a Department of Water Resources Claim to a Water Right, form no. 243 for Don B. and Arlene G. Moss. I am also enclosing a copy of the Department of Water Resources Eastern Region letter dated July 8, 1985, the original date stamped memo and Mr. and Mrs. Moss's check no. 847 in the amount of \$30 made payable to the Department of Water Resources.

Would you please file that claim as of June 30, 1985, as it was received in the Eastern Region Office with a post mark of 28 June or earlier?

If you have any questions contact me directly on this matter.

Sincerely,



Lyle D. Eliassen

LDE:bjs
encl:

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JUL 9 1985

July 8, 1985

Lyle D. Eliassen
202 Idaho Street
American Falls, ID 83211

RE: Claim for Don B. or Arlene G. Moss

Dear Mr. Eliassen:

Enclosed is the claim submitted to this office on July 1, 1985, a retyped claim with corrections, check #835 in the amount of \$200.00 and your date stamped cover letter.

Please review the retyped claim completing item 1 - date of priority giving month, day and year, and the map indicating the point of diversion and place of use.

Upon completion of the review please return the completed, notarized claim, a check for \$30.00 for the filing fee, the original date stamped (July 1, 1985) cover letter, and the original claim to our Southern Regional office at 1041 Blue Lakes Blvd. North, Twin Falls, ID 83301 which covers the area under the claim. To avoid any confusion it would be best to attach a cover letter explaining that your client wishes to insure that the claim would be received by July 1, 1985.

Your prompt action will be appreciated.

Sincerely,

KEITH C. WILSON
Senior Resource Agent

KCW/ct

Enclosures

Attachment: 92-284 in the amount of \$200.00

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Memo From:

Law Office
Lyle D. Eliassen
ATTORNEY AT LAW

DATE: June 26, 1985

202 Idaho Street
American Falls, Idaho 83211
Phone (208) 226-5138

Idaho Dept. of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

JUL 1

Department of Water Resources
East

Enclosed please find a Water Right Claim for Don Moss and Arlene G. Moss and his check in the sum of \$200 to cover filing of such claim.

If you have any questions give me a call.

Lyle D. Eliassen

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AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
COUNTY OF POWER

...Brett.Crompton.... being first duly
sworn on oath, states:

That ...he.. is the ...editor.....
of the Power county Press, a newspaper of
general circulation in Power County, Idaho,
published weekly at American Falls in said
county, that said newspaper has been pub-
lished, in said county uninterruptedly and
continuously for over seventy-eight consec-
utive weeks, prior to the first publication
of the annexed notice or advertisement:

That the annexed notice or advertisement
was published as per clipping attached in
the regular and entire edition of said
newspaper and not in any supplement thereof
for...2... successive weekly issues thereof,
the date of the first publication being the

....11.... day ofSeptember.....19.85..
and the date of last publication being the

....18.... day ofSeptember....19.85..

(Signed) *Brett Crompton*
Subscribed and sworn to before me this

.....20.... day ofSeptember.....19.85...

Roger Hobbs
.....
Notary Public, residing at
American Falls, Idaho

(SEAL)

My commission expires the

.....10....day of March 19.86.

RECEIVED

SEP 24 1985

Department of Water
Salem, Oregon

Notice of
claims to
water rights

Published in The Power County
Press September 11 & 18, 1985.

NOTICE OF CLAIMS
TO WATER RIGHTS

Notice is hereby given that the
following claim(s) to water right(s)
have been established by diversion
and application to beneficial use:

41-4044
MOSS, DON B. &/or ARLENE G.
BOX 123, ROCKLAND, ID 83271
Source: SPRINGS trib. to SINKS
Priority Date: 01/01/1935
Diversion Pt: NWNW Sec 24 T 10S
R 30E
Use: STOCKWATER (0.0040 CFS)
In: NWNW Sec 24 T 10S R 30E

Any exception to any claim of
water right may be filed with the
Director of the Idaho Department of
Water Resources, 1041 Blue Lakes
Blvd. North, Twin Falls, Idaho
83301.

A. KENNETH DUNN
Director

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

SEPTEMBER 30, 1985

DON B. MOSS
ARLENE G. MOSS
BOX 123
ROCKLAND

ID 83271

RE: Claim No. 41-4044

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,



ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

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, BOX 123, ROCKLAND, ID 83271

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Priority Date: 01/01/1935

Diversion Pt: N4NW Sec 24 T 10S R 30E

Use: STOCKWATER (0.0040 CFS)

In: N4NW Sec 24 T 10S R 30E

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 9/11 & 9/18/85.

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*D merge
9/9/85*

**Notice of
claims to
water rights**

Published in The Power County
Press September 11 & 18, 1985.

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Blvd. North, Twin Falls, Idaho
83301.

A. KENNETH DUNN
Director

S T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

SEPTEMBER 5, 1985

Power County Press
174 Idaho Street
American Falls, ID 83211

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 30, 1985.

Yours truly,

Mary A. Newby
Secretary

Encl.

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: A. J. Jandenberg

Right Number 41 4044 Applicant MOSS, Don B. & Arlene G.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed. None

By AD m Date 9/25/85

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 9/30/85

RECEIVED
SEP 30 1985

Department of Water Resources

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