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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-11546

1996 NOV 26 AM
DISTRICT COURT -
TWIN FALLS CO.,
FILED _____

NAME & ADDRESS: CAROLYN MOSS
269 S 300 E
JEROME ID 83338

RUTH M ADAMS
273 S 300 E
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1922

POINT OF DIVERSION: T08S R17E S33 SENESE Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within JEROME County
T08S R17E S33 NESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED: NOV 23 1996



DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED

MAY 22 1997

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-11546

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JUL 14 2000

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RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

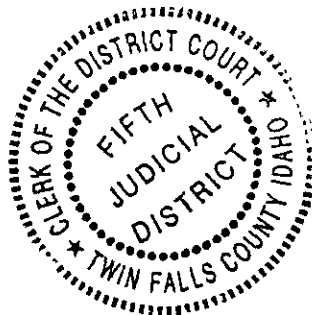
DATED: NOV 26 1996

DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

State of Idaho
County of Twin Falls ss.
I heraby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

Robert S. Fort
CLERK



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MAY 22 1997

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-11546

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4661
WATER RIGHT NO(S). 36-07898/36-08298/36-11546

RECEIVED

NOV 2 1999

Department of Water Resources

RECEIVED

SEP 18 1995

Department of Water Resources
Southern Region

This is to certify that: MOSS GREENHOUSES INC
DE WITT MOSS
CAROLYN MOSS
RUTH N ADAMS
269 S 300 E
JEROME ID 83338

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-07898 :			
COMMERCIAL	01/01 to 12/31	0.06 CFS	1.8 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	1.8 AF
SUBTOTAL:		0.06 CFS	3.6 AF
Right No. 36-08298 :			
COMMERCIAL	01/01 to 12/31	0.27 CFS	32.6 AF
SUBTOTAL:		0.27 CFS	32.6 AF
Right No. 36-11546 :			
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
SUBTOTAL:		0.04 CFS	1.2 AF
TOTAL:		0.37 CFS	37.4 AF

DATE OF PRIORITY:

Right No. 36-07898 : 02/27/1980
Right No. 36-08298 : 09/23/1985
Right No. 36-11546 : 12/31/1922

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 33, Township 08S, Range 17E
JEROME County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

08S 17E 33 NESE

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PLACE OF USE: DOMESTIC, same as COMMERCIAL use

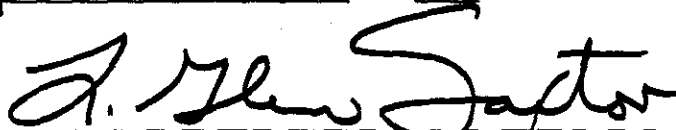
SEP 14 2000

TRANSFER NO. 4661
WATER RIGHT NO(S). 36-07898/36-08298/36-11546

CONDITIONS OF APPROVAL AND REMARKS

1. Prior to diversion of water under this approval, 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.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Approval of this transfer does not confirm the right claimed under SRBA Claim No. 36-11546.
4. The total instantaneous diversion of water from all points of diversion under Transfer No. 4661 shall not exceed 0.37 cfs, nor total combined annual volume of 37.4 af.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Three points of diversion are located in NESE, S33, T08S, R17E. Water diverted for commercial use under Right Nos. 36-07898 and 36-08298 if discharged into a natural channel or subsurface system shall meet Idaho water quality standards.
8. Domestic use under Right No. 36-07898 is for 2 homes and an office.
9. Domestic use under Right No. 36-11546 is for 1 home.
10. Commercial use under Right Nos. 36-07898 and 36-08298 is for 9 greenhouses.

Dated this 13th day of September, 1995.


Chief, Water Alloc. Bureau

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JUL 14 2000

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/03/99

PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MOSS GREENHOUSES INC	12/31/1922	DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
C	DE WITT MOSS					
C	CAROLYN MOSS					
	269 S 300 E					
	JEROME ID 83338					
	(208) 324-8325					
				TOTAL DIVERSION:	0.040 CFS	1.20 AFA
C	RUTH N ADAMS					

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T08S R17E S33

NESE

JEROME County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
08S 17E 33 :															

Pou County: JEROME

Conditions of Approval:

- T07 - The right holder shall accomplish the change authorized by this
 - transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this
 - transfer is cause for the Director to rescind approval of the
 - transfer.
- T09 - Approval of this transfer does not preclude the opportunity for
 - review of the validity of the water right(s) in the ongoing
 - Snake River Basin Adjudication.

Remarks: GEN Three points of diversion are located in NESE, S33, T08S, R17E. The total instantaneous diversion of water from all points of diversion under Transfer 4661 shall not exceed 0.37 cfs, nor a total combined annual volume of 37.4 af.

The quantity of water decreed for this water right is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.

Prior to diversion of water under this approval, 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.

Domestic use under Right 36-11546 is for one (1) home.

PARCEL NO. RL 08S17E337727.

Dates:	App. Received:	Priority Date:	12/31/1922
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: Field Exam Fee:

Comments: Date: 10/28/1996 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Date: 11/03/1999 User-ID: PSKAGGS Subject: TRANSFER 4661
Transfer 4661 was approved prior to the recommendation or decree
of Right 36-11546. This SRBA decreed right has been updated to
reflect the changes made by Transfer 4661.
(See also Rights 36-07898 & 36-08298.)

Audit: 10/24/96 DSHAFF 10/28/96 DS1-PROD 11/28/96 PD-DSHAF 04/30/98 DECREED
11/03/99 PSKAGGS

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MOSS GREENHOUSES INC	12/31/1922	DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
C	DE WITT MOSS					
C	CAROLYN MOSS					
C	RUTH N ADAMS					
	269 S 300 E					
	JEROME ID 83338					
	(208) 324-1000					
				TOTAL DIVERSION:	0.040 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T08S R17E S33

NESE

JEROME County

Place of use Legal Description for: DOMESTIC

	NE					NW					SW					SE			
T R S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac
08S 17E 33	:				:					:					:				

POU County: JEROME

Other Rights: NONE.

Conditions of Approval:

- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN The total instantaneous diversion of water from all points of diversion under Transfer No. 4661 shall not exceed 0.37 cfs, nor total combined annual volume of 37.4 af.
Three points of diversion are located in NESE, S33, T08S, R17E.
Domestic use under Right No. 36-11546 is for 1 home.
Prior to diversion of water under this approval, 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.
Approval of this transfer does not confirm the right claimed under SRBA Claim No. 36-11546.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

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AJ5809NP
No. X36-11546

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/03/99
PAGE: 2

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Comments: Date: 07/11/1995 User-ID: SCURTIS Subject: TRANSFER NO. 4661
Trans. #4661 was filed to add a point of diversion under Right
Nos. 36-07898/08298/11546. Transfer was based on the rights as
recommended in the SRBA Basin 36 Director's Report and subsequent
licensing of 36-08298. Approved versions will be stored under an
X prefix pending conclusion of the adjudication.

Audit: 09/14/95 PSKAGGS

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JUL 14 2000

MEMORANDUM

TO: FILE 36-11546

FROM: PAM SKAGGS *PS*

RE: TRANSFER # 41661

DATE: 09-13-95

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 36-07898.

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