

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that George Moody, Jr., and Dorothy Moody
(name of claimant)
of Route No. 1, Gooding, Idaho 83330, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) waste water flowing in natural drain, tributary to, Thorn Creek
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>100 inches</u>	Use	<u>Irrigation</u>	Period of Use:	From	<u>April 1</u>	To	<u>November 1</u>
Amount	_____	Use	_____	Period of Use:	From	_____	To	_____
Amount	_____	Use	_____	Period of Use:	From	_____	To	_____
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: two cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) April 1, 1953

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SW ¼ NW ¼, Sec. 32 Twp. 4 S. Rge. 16 E. B.M. County of Lincoln
 Additional points of diversion: SW¼ of the NE¼, Sec. 31, Twp. 4S. Rge. 16 EBM
Gooding County

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. diversion dam at both points, the first to irrigate 39.1 acres and the second to irrigate 3.3 acres.

- (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.

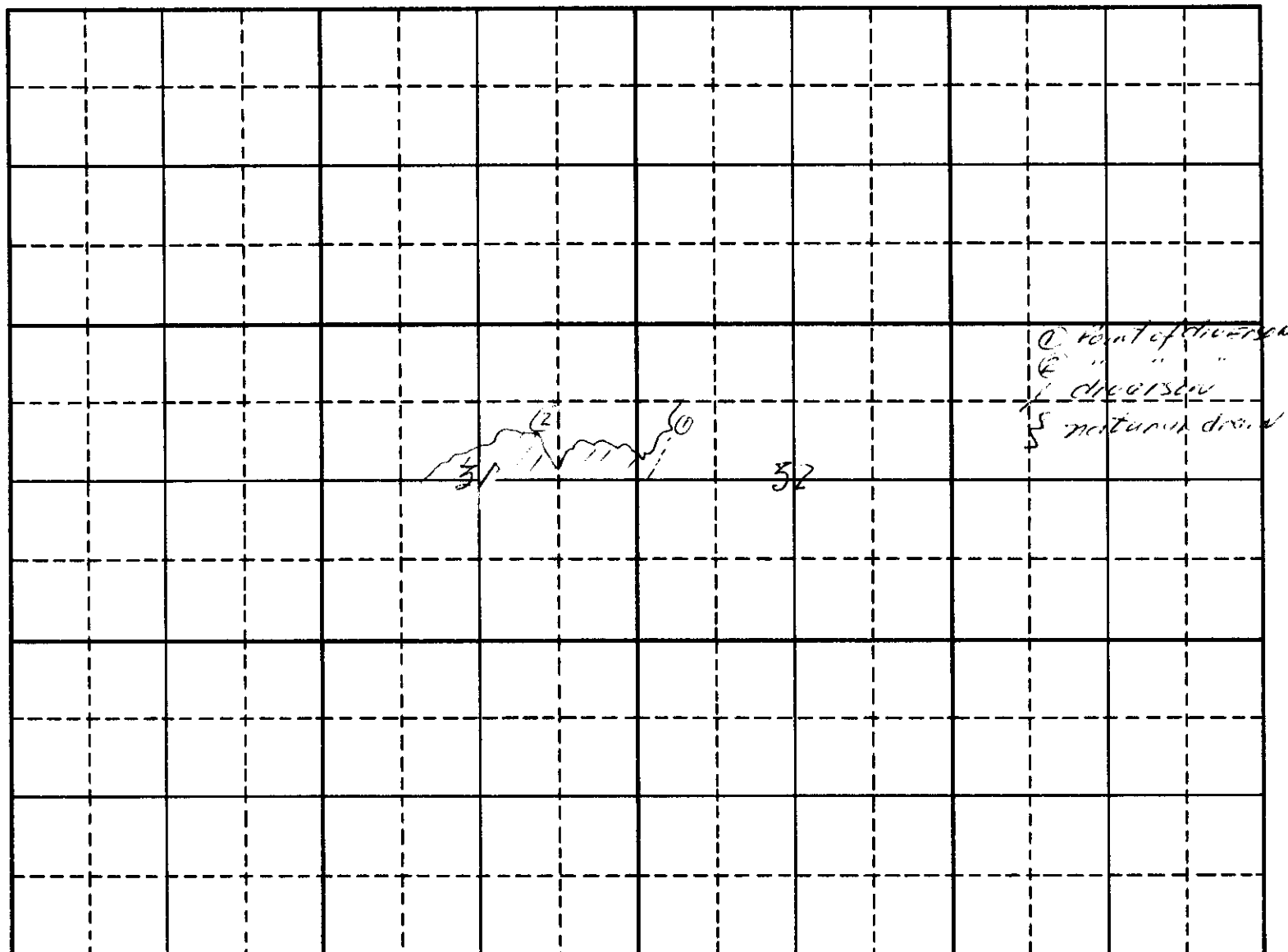
[illegible]

Total No. of acres 424

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

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

(8) Remarks Applicants are the present owners of the real estate described herein, have owned a one-half interest for many years and are purchasing the other half under Contract of Sale from George Moody and Leota Moody



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)
) ss.
County of Gooding)

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 affiants knowledge.

George Moody Jr
(Claimant)

Dorothy E. Moody
(Claimant)

Sworn to before me this 25th day of May

Marcel James
Notary Public
Residing at Gooding, Idaho

My commission expires Perm.

For Department Use Only

Received by <u>TGB</u>	Date <u>5-26-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JS</u>	Date <u>5-31-78</u>		claimant by:	
\$10.00 fee received by <u>DJ</u>	Date <u>5/26/78</u>	<u>#10445</u>		
Approved for publication by <u>SM</u>	<u>6/19/78</u>			
Published in <u>Gooding County Leader</u>				
Dates <u>6/8 & 6/15/78</u>				

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Gooding } SS.

JUN 19 1978

Department of Water Resources
Southern District Office

Kim R. Crampton being first duly sworn, deposes and says that he is the printer (Publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 8 day of June

1978, and the date of the last publication was on the 15

day of June

Subscribed and sworn to before me this

day of June, 1978.
(SEAL)

Garnett Harris
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 40
Number of Insertions 2
Lines tabular at 315c
Lines straight at 40 21c 8.40
Subsequent lines at 40 15c 6.
TOTAL COST 14.40

NOTICE OF CLAIM
TO A WATER RIGHT

NO. 37-4000

Notice is hereby given that George Woody & Dorothy Moody Gooding, Idaho 83330 has filed a claim to a water right established by diversion and application to beneficial use of 2.0 cubic feet per second of water from waste water flowing in natural drain tributary to Thorn Creek with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32; SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, Twp. 4S, Rge. 16E, B.M. Gooding County.

The water is claimed to be used from Apr. 1 to Nov. 1 for irrigation purposes of 42.4 acres with a priority of April 1, 1953; the place of use is within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, Twp. 4S, Rge. 16E, B.M.

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

/s/ C. Stephen Allred
Director

Pub: 6-8, 15

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

25634

No 1656

DEPARTMENT OF WATER RESOURCES
STAFF ANALYSIS - CLAIM TO A WATER RIGHT

Item Initial Date

Claim No. 37-4099- George Moody, Jr. & or Dorothy Moody

☒ Name, Address, Telephone
☒ Source
☒ Quantity, Purpose, Period of Use
☒ Priority (Year & Month) (Day Optional)
☒ Point of Diversion
☒ Description of Diverting Works
☒ Place of Use
☒ Map
☒ Signature
☒ Notarized
☒ Fee

(1) OP 5-31-78
(2) ADM 6/1/78
(3) Sm 7/10/78
(4) Dj 6/1/78
S.S. 8/9/78

In Form To Receipt

In Form For Advertising

Exceptions Filed: Yes _____ No ☒

Copy To Boise

MICROFILMED

July 10, 1978

Mr. George Moody, Jr.
Route #1
Gooding, ID 83330

Re: Claim to a Water Right No. 37-4099

Dear Mr. Moody:

The Department of Water Resources has completed the processing of your Claim to a Water Right, and no further action is authorized under Sections 42-225a and 42-225b of the Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the Court.

As you are aware, the filing of your claim does not, in itself guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing a copy of the claim for your records. If you have any questions or if we can be of further assistance, please feel free to contact us.

Sincerely,

Loren O. Holmes
Southern Region Supervisor

LOH:sm

Enclosure

June 20, 1978

Mr. Delbert Barnett
P. O. Box 47
Shoshone, ID 83352

Re: Claim to a Water Right No. 37-4099 - George L. &/or Dorothy Moody

Dear Mr. Barnett:

Enclosed please find the protest you filed to the above-referenced Claim which was received in this office on June 15, 1978.

Section 42-225b of the Idaho Code states:

At any time after the filing of a claim under the previous section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate...

When you phoned our office, our secretary understood that you wanted to file a protest to an Application for Permit.

If you have any questions concerning this matter, please feel free to contact me.

Sincerely,

Terry G. Blau
Acting Southern Region Supervisor

TGB:sm

Enclosure

RECEIVED
JUN 21 1978
SOUTHERN REGION
SUPERVISOR

Dep

School of Forestry

State of Idaho
Department of Water Resources
Southern Region Office
1041 Blinn Baker Boulevard North
Lewiston Idaho 83801

June 12, 1978

Dear Sir:

I would like to enter into record a
protest against George & Dorothy Moody,
Shoshone, Idaho. for ~~water~~ rights claim No-37-4099.

He wants 100 acres of water to use to irrigate
404 acres when he only needs 42 acres &
water, that is too much water I have
in claim for 40 acres of the most water filed
for me by Sister McNeil last December.

Robert Burnett

P.O. Box 47

Shoshone, Idaho

RECEIVED

NOTICE OF CLAIM TO A WATER RIGHT

NO. ~~37-4999~~

Notice is hereby given that ~~George L. Moody & Dorothy Moody~~

~~Gooding, Idaho 83330~~

has filed a claim to a water right established by diversion and application
to beneficial use of ~~2.0~~ cubic feet per second ~~acre feet per annum~~

of water from ~~waste water flowing in natural drain tributary to Thorn Creek~~
with point of diversion in the ~~SW 1/4, Sec. 32, SW 1/4, Sec. 31, Twp. 4S,~~
~~Rge. 16E, B.M. Gooding County~~

The water is claimed to be used from ~~Apr. 1 to Nov. 1 for irrigation~~

~~purposes of 42.4 acres~~
with a priority of ~~April 1, 1953~~;

the place of use is within the ~~SW 1/4, SE 1/4, Sec. 31, Twp. 4S, Rge. 16E, B.M.~~

~~27~~

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

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

C. Stephen Allred

Director

Published in the ~~Gooding County Leader~~

on ~~6/8~~ and ~~6/15/78~~

June 1, 1973

Gooding County Leader
Box 56
Gooding, Idaho 83330

Re: Claim to a Water Right No. 36-4099 - George L. Moody

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Terry G. Blau
Acting Southern Region Supervisor

TGBBd]

enc:

Bill submitted: _____

June 1, 1973

Mr. George L. Moody
Route 1
Gardnag, Idaho 83330

Re: Claim to a Water Right No. 37-4049 - George L. Moody

Dear Mr. Moody:

Enclosed for your receipt is \$1.00 for check No. 92-1 in the amount of \$10.00 for the above referenced Claim to a Water Right which was received in this office May 28, 1973.

Sincerely,

Debra Jones
Senior Clerk

encl:

