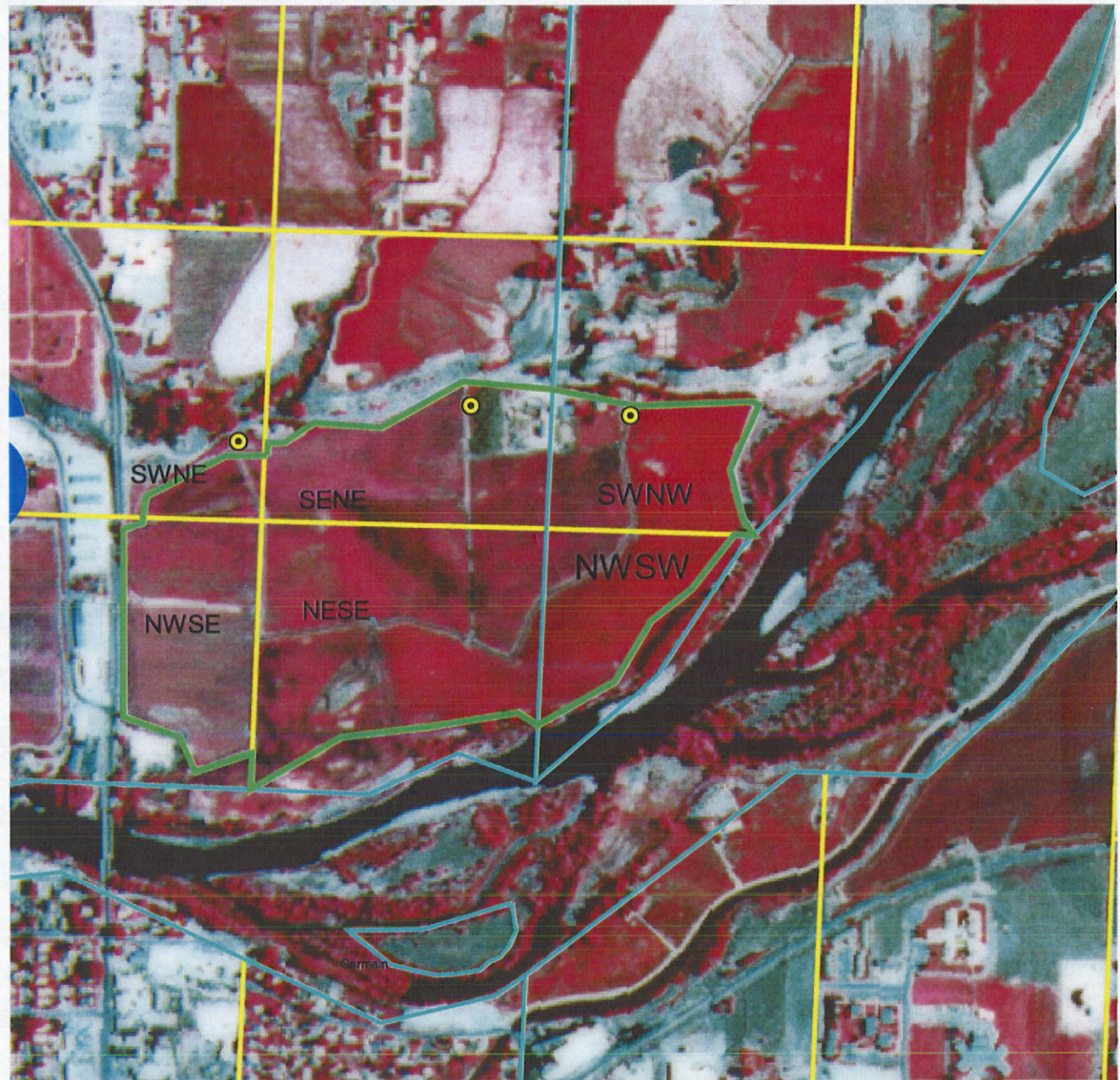


Idaho Dept. of Water Resources

Claim No(s): 65-02497,
65-02838, 6511415
T06N, R01W, 5 ,6
Created by: Sue Bock
Date: 9/12/2000

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



0 1000 2000 3000 Feet

1987 NAPP Photo

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 65-11415
Date Received: 12/12/89
Receipt No: X999999
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

EDWIN GOSLIN TRUST
944 LOWER BLUFF RD
EMMETT ID USA 83617

Phone: (208)365-4270

IDA M GOSLIN, TRUSTEE
944 LOWER BLUFF RD
EMMETT ID USA 83617

Phone: (208)365-4270

MARGIE E SCOFIELD, TRUSTEE
944 LOWER BLUFF RD
EMMETT ID USA 83617

Phone: (208) 365-4270

2. Date of Priority: 04/01/1926

3. Source: WASTEWATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	01W	5	SW NW	GEM	
06N	01W	5	SW NW	GEM	

5. Description of diverting works:

GRAVITY FLOW FOR IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.56	

7. Total Quantity Appropriated is:
1.56 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	01W	5	SW	NW	IRRIGATION	12
			NW	SW	IRRIGATION	9
Section Acres						21
06N	01W	6	SW	NE	IRRIGATION	2
			SE	NE	IRRIGATION	15
			NE	SE	IRRIGATION	28
			NW	SE	IRRIGATION	12
Section Acres						57
Total Acres						78

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHT 65-02838 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. THIS RIGHT WAS ORIGINALLY RECOMMENDED AS LICENSED RIGHT 65-02458. ALTHOUGH 65-11415 AND 65-02838 BOTH CONTAIN ACREAGE IN THE SWNE, SEC. 6, TWP. 06N, RGE. 01W, THE ACRES DO NOT OVERLAP. SEE ATTACHED STIPULATION FOR AMENDMENT TO DECREE Changed in to name of trust. DB 5/8/2001 Added trustee name. DB 5/25/2001

15. Basis of Claim: Beneficial Use

RECEIVED

MAY 24 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>65-02838</u>	—		<u>65-01257</u>	—	
<u>65-02497</u>	—		<u>65-01219</u>	—	
<u>65-11415</u>	—		<u>65-01220</u>	—	
—	—		<u>65-04217</u>	—	
—	—		<u>all other rights in database</u>		

2. The following REQUIRED information must be submitted with this form:

- A. The appropriate FILING FEE. See instructions for fee amounts.
- B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, WITH ATTACHED LEGAL DESCRIPTION.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) T. Edwin (or Edwin) Goslin / Ida Goslin
4. New Owner/Claimant(s) Ida M. Goslin, and/or Edwin Goslin Trust - Ida M. Goslin and/or Margie E. Scofield
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or (trustees)
- New Mailing Address 944 Lower Bluff Rd
- City, State and ZIP Code Emmett ID 83617
- New Telephone Number (208) 365-4270
5. Date you acquired the property moved to trust 1996

*change is for name only - Trust with co-trustees:
match name of trust to deed please*

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Ilda M. Goshin (Co-Trustee)
(include title if applicable) Margie E. Scifield (Co-Trustee)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

188639

Gem County, IDAHO) ss
Recorded at request of
Louie Gorrano

Time 9:12 AM

Date February 23, 1996

Instr. No. 188639

Recorded as a Deed

Thelma R Kolodziej, Clerk
Ex-officio Recorder.

By: Judy Begham
Deputy

Fees \$ 6.00

DEED OF DISTRIBUTION BY PERSONAL REPRESENTATIVE

THIS DEED, made by IDA M. GOSLIN, as Personal Representative of the Estate of
THOMAS E. GOSLIN, deceased, the Grantor, to

EDWIN GOSLIN TRUST

Grantee, whose address is: c/o Ida M. Goslin, 944 Lower Bluff Rd., Emmett, ID 83617

WHEREAS, said Grantor is the qualified personal representative of said estate, filed as Probate Number
SP94-248 in Gem County, Idaho;

THEREFORE, Grantor conveys and releases to Grantee all of the right, title and interest of said decedent,
consisting of his undivided one-half community property interest, in and to the following described real property,
situated in Gem County, Idaho, to-wit:

That property known as the "Home Place", located at 944 Lower
Bluff Rd., Emmett, Idaho, and described in Exhibit A,
attached hereto and incorporated herein in full, by
reference.
including all water and ditch rights appurtenant thereto or used in connection therewith, and
including any easements or rights of ways appurtenant to or used for the benefit of said described
premises. Subject to easements, rights of ways, reservations or exceptions, if any.

with all appurtenances.

Said property is conveyed "as is" under existing boundary fences, if any, after reasonable inspection by the grantee, and grantor does not
make any representations or warranties as to the qualifications or suitability of said land or premises for water or electrical power, or as to
said land or improvements meeting any Federal, State, or local laws, rules or regulations pertaining to zoning, building, subdividing, platting,
surveys, planning and use, health, ecology, drainage, irrigation, water quality, sewage or disposal systems, hazardous materials and toxic
wastes. Grantor makes no warranties as to surveys, boundaries, or any matter mentioned in this paragraph. There are no warranties, express
or implied, as to merchantability, in a general sense or for a particular purpose, except as herein contained in writing, if any.

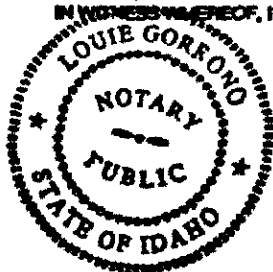
EXECUTED THIS 21 day of February, 1996.

Ida M. Goslin
Personal Representative of the Estate of Thomas E. Goslin

STATE OF IDAHO,
County of Gem.) ss.

On this 21 day of February, 1996, before me, a Notary
Public in and for said State, personally appeared IDA M. GOSLIN,
known to me to be the person whose name
is subscribed to the within instrument as Personal Representative of said Estate, and acknowledged to me that the same was executed as
the Personal Representative of said Estate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



David Gorrone

Notary Public for State of Idaho; Residing at Emmett, Idaho.

INSTRU. NO. 188639

PAGES 1 of 2

188639

INSTRU. NO. 188639

PAGES 2 of 2

Home Place 1944 Lower Bluff Road, Emmett, Idaho

All being in Twp. 6 N., R. 1 W., B.M., Gem County, Idaho; Lot 5 and a portion of Lot 6 in Section 5, Twp. 6 N., R. 1 W., B.M. Lot 10, a portion of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and a portion of Lot 9 lying east of the present highway in Section 6, Twp. 6 N., R. 1 W., B.M., all of which is more particularly described as follows:

From the SW $\frac{1}{4}$ corner of said Sec. 6, Twp. 6 N., R. 1 W., B.M., run East on Section line 720 feet to the center line of Washington Avenue in Emmett, Idaho; thence N.0°0' E. along the center line of said Avenue and

said Avenue extended 1636.7 feet; thence East 33 feet to the East line of right of way of the highway described in Book 18 of Deeds, at Page 420, Records of Gem County, Idaho; which is a point 253.1 feet north of the right bank of the Payette River and THE POINT OF BEGINNING of the land being described; run thence

N.0°0' E. along the East side of the said right of way 995.5 feet, more or less, to the NE corner of said Lot 9; thence

East on the $\frac{1}{4}$ section line 567 feet, more or less, to the NE corner of said Lot 9; thence North on the $\frac{1}{4}$ section line 496.17 feet; thence

East 56.06 feet; thence

N.68°30' E. 98 feet; thence

N.80°30' E. 280 feet; thence

N.75°30' E. 772 feet; thence

S.64°00' W. 129 feet; thence

N.85°30' E. 380 feet; thence

N.88°00' E. 440 feet; thence

N.83°00' E. 350 feet to a point (on a line which if projected would intersect the North line of Lot 6 in said

South 300 feet, more or less, to the NE corner of Lot 6); thence

Southwesterly along the bank of said river to a point (which point is located 300 feet East 370.4 feet South

from said point of beginning); thence North parallel to said Highway 370.4 feet; thence

West 300 feet to the Place of Beginning.

ALSO

A tract of land in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Twp. 6 N., R. 1 W., B.M., described as follows: Beginning at the SE corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, run thence

West on the South line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ 550 feet, more or less, to the East line of the right of way of State

Highway as described in Book 22 of Deeds at page 619 of the records of Gem County, Idaho. thence

North on the East line of said right of way to the North line of the right of way of the Right Bower Disch; thence

Easterly along the North line of said right of way to a point on the East line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ 812 feet

South of the NE corner thereof; thence

South on said East line 508 feet, more or less, to said point of beginning.

3

NOMINATION AND APPOINTMENT OF CO-TRUSTEE

* * * * *

WHEREAS, Thomas E. Goslin died in Gem County on September 20, 1994;

WHEREAS, Ida M. Goslin, surviving spouse of Thomas E. Goslin, was duly appointed as Personal Representative of his Estate;

WHEREAS, Ida M. Goslin has requested the aid of Margie E. Scofield, daughter of the deceased and Ida M. Goslin, in connection with the administration of the Estate, and to act as co-Trustee of the Edwin Goslin Trust, established by the Last Will and Testament of Thomas E. Goslin;

WHEREAS, Margie E. Scofield has agreed to work with her mother and also act as Co-Trustee with her mother concerning said Trust;

THEREFORE, it is mutually agreed, Margie E. Scofield shall act as co-trustee with Ida M. Goslin in connection with the Edwin Goslin Trust established by the Last Will and Testament of Thomas E. Goslin and the probate thereof, and all institutions, agencies and persons are authorized to recognize and do business with Ida M. Goslin and Margie E. Scofield as Co-Trustees of the Edwin Goslin Trust.

Each Trustee does hereby agree to abide by the terms of the testamentary trust established by Thomas E. Goslin, deceased, and further agrees to act as co-trustee of said Trust.

DATED this 26 day of September, 1995.

Ida M. Goslin
Ida M. Goslin

Margie E. Scofield
Margie E. Scofield

STATE OF IDAHO,)
) ss.
County of Gem.)

On this 26 day of September, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared IDA M. GOSLIN and MARGIE E. SCOFIELD, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

[Signature]
Notary Public for State of Idaho;
Residing at Emmett, Idaho.

DEED OF DISTRIBUTION BY PERSONAL REPRESENTATIVE

THIS DEED, made by IDA M. GOSLIN, as Personal Representative of the Estate of
THOMAS E. GOSLIN, deceased, the Grantor, to

EDWIN GOSLIN TRUST

Grantee, whose address is: c/o Ida M. Goslin, 944 Lower Bluff Rd., Emmett, ID 83617

WHEREAS, said Grantor is the qualified personal representative of said estate, filed as Probate Number
SP94-248 in Gem County, Idaho;

THEREFORE, Grantor conveys and releases to Grantee all of the right, title and interest of said decedent,
consisting of his undivided one-half community property interest, in and to the following described real property,
situated in Gem County, Idaho, to-wit:

That property known as the "Home Place", located at 944 Lower
Bluff Rd., Emmett, Idaho, and described in Exhibit A,
attached hereto and incorporated herein in full, by
reference.

Including all water and ditch rights appurtenant thereto or used in connection therewith, and
including any easements or rights of ways appurtenant to or used for the benefit of said described
premises. Subject to easements, rights of ways, reservations or exceptions, if any.

with all appurtenances.

Said property is conveyed "as is" under existing boundary fences, if any, after reasonable inspection by the grantee, and grantor does not
make any representations or warranties as to the qualifications or suitability of said land or premises for water or electrical power, or as to
said land or improvements meeting any Federal, State, or local laws, rules or regulations pertaining to zoning, building, subdividing, platting,
surveys, planning and use, health, ecology, drainage, irrigation, water quality, sewage or disposal systems, hazardous materials and toxic
wastes. Grantor makes no warranties as to surveys, boundaries, or any matter mentioned in this paragraph. There are no warranties, express
or implied, as to merchantability, in a general sense or for a particular purpose, except as herein contained in writing, if any.

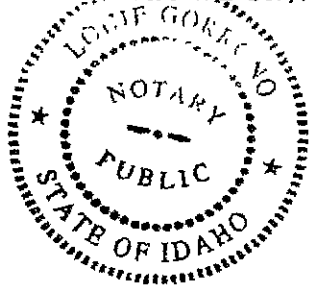
EXECUTED THIS 21 day of February, 1996.

Ida M. Goslin
Personal Representative of the Estate of Thomas E. Goslin

STATE OF IDAHO,)
County of Gem.) ss.

On this 21 day of February, 1996, before me, a Notary
Public in and for said State, personally appeared IDA M. GOSLIN,
known to me to be the person whose name
is subscribed to the within instrument as Personal Representative of said Estate, and acknowledged to me that the same was executed as
the Personal Representative of said Estate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



David E. Farrell
Notary Public for State of Idaho; Residing at Emmett, Idaho.

188659
PAGES 1-2

Home Place (944 Lower Bluff Road, Emmett, Idaho)

All being in Twp. 6 N., R. 1 W., B.M., Gem County, Idaho:

Lot 5 and a portion of Lot 6 in Section 5, Twp. 6 N., R. 1 W., B.M.

Lot 10, a portion of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and a portion of Lot 9 lying east of the present highway in Section 6, Twp. 6 N., R. 1 W., B.M., all of which is more particularly described as follows:

From the S $\frac{1}{4}$ corner of said Sec. 6, Twp. 6 N., R. 1 W., B.M., run East on Section line 720 feet to the center line of Washington Avenue in Emmett, Idaho; thence N.0°0' E. along the center line of said Avenue and said Avenue extended 1636.7 feet; thence East 33 feet to the East line of right of way of the highway described in Book 18 of Deeds, at Page 420, Records of Gem County, Idaho; which is a point 253.1 feet north of the right bank of the Payette River and THE POINT OF BEGINNING of the land being described; run thence

N.0°0' E. along the East side of the said right of way 995.5 feet, more or less, to the NE corner of said Lot 9; thence

East on the $\frac{1}{4}$ section line 567 feet, more or less, to the NE corner of said Lot 9; thence

North on the $\frac{1}{4}$ $\frac{1}{4}$ section line 496.17 feet; thence

East 56.06 feet; thence

N.68°30' E. 98 feet; thence

N.80°30' E. 280 feet; thence

N.75°30' E. 772 feet; thence

S.64°00' W. 129 feet; thence

N.85°30' E. 380 feet; thence

N.88°00' E. 440 feet; thence

N.43°00' E. 350 feet to a point (on a line which if projected would intersect the North line of Lot 6 in said Sec. 5 at a point 1647 feet East of the NW corner of Lot 6); thence

South 300 feet, more or less, to the Right bank of the Payette River. Thence

Southwesterly along the bank of said river to a point (which point is located 300 feet East 370.4 feet South from said point of beginning); thence

North parallel to said Highway 370.4 feet; thence

West 300 feet to the Place of Beginning.

ALSO

A tract of land in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Twp. 6 N., R 1 W., B.M., described as follows:

Beginning at the SE corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, run thence

West on the South line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ 550 feet, more or less, to the East line of the right of way of State Highway as described in Book 22 of Deeds at page 619 of the records of Gem County, Idaho. thence

North on the East line of said right of way to the North line of the right of way of the Right Bower Ditch; thence

Easterly along the North line of said right of way to a point on the East line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ 812 feet South of the NE corner thereof; thence

South on said East line 508 feet, more or less, to said point of beginning.

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 65-11415
Date Received: 12/12/89
Receipt No: X999999
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

IDA M GOSLIN
944 LOWER BLUFF RD
EMMETT ID USA 83617

Phone: (208)365-4270

T EDWIN GOSLIN TRUST
944 LOWER BLUFF RD
EMMETT ID USA 83617

Phone: (208)365-4270

2. Date of Priority: 04/01/1926

3. Source: WASTEWATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	01W	5	SW NW	GEM	
06N	01W	5	SW NW	GEM	

5. Description of diverting works:

GRAVITY FLOW FOR IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.56	

7. Total Quantity Appropriated is:
1.56 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	01W	5	SW NW		IRRIGATION	12
			NW SW	5	IRRIGATION	9
					Section Acres	21
06N	01W	6	SW NE		IRRIGATION	2
			SE NE		IRRIGATION	15
			NE SE	10	IRRIGATION	28
			NW SE	9	IRRIGATION	12
					Section Acres	57
					Total Acres	78

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHT 65-02838 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. THIS RIGHT WAS ORIGINALLY RECOMMENDED AS LICENSED RIGHT 65-02458. ALTHOUGH 65-11415 AND 65-02838 BOTH CONTAIN ACREAGE IN THE SWNE, SEC. 6, TWP. 06N, RGE. 01W, THE ACRES DO NOT OVERLAP. SEE ATTACHED STIPULATION FOR AMENDMENT TO DECREE Changed in to name of trust. DB 5/8/2001

15. Basis of Claim: Beneficial Use

RECEIVED

APR 11 2001

WATER RESOURCES
WESTERN REGION

4/9/01

Idaho Dept of Water Rights
P.O. Box 83720
Boise, ID 83707-9815

RE: Water Rights Name Change

Water Right ~~#65-11415~~ ✓ ~~65-2497~~ ✓ ~~65-2838~~ ✓ irrigation *Sue B.*
#65-01257--spring
#65-01219, 65-01220, 65-04217--groundwater

*All should
have had
P.d.'s issued*

Please be advised that the name Edwin or T. Edwin or Edwin T. Goslin should be changed to **T. Edwin Goslin Trust**. Edwin Goslin passed away on 9/20/1994. 75% of his property at 944 Lower Bluff Rd was set aside in a trust. 25% remains in the name of Ida M. Goslin as already shown. Ida M. Goslin and Margie E. Scofield are co-trustees. Please see enclosed court documents

Please check your data base and change all the water rights to reflect this name change. If you have any questions or need further documentation, please contact me. Please send confirmation of this change.

Thank you for your assistance in this matter.

Margie E. Scofield

Margie E. Scofield
1800 Fenton Drive
Emmett, ID 83617
208-365-7360

Ida M. Goslin
944 Lower Bluff Rd.
Emmett, ID 83617
208-365-4270

L. Gorrano
Attorney at Law
105 N. Hayes, P.O. Box 637
Emmett, Idaho 83617
Telephone: (208) 365-2421

RECEIVED
APR 11 2001
WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

MAGISTRATE'S COURT

COPY

In the Matter of the Estate of	)	Case # <u>SP94-248</u>
	)	PETITION FOR FORMAL PROBATE
THOMAS E. GOSLIN, JR.,	)	OF WILL AND FOR APPROVAL OF FINAL
	)	SETTLEMENT AND DISTRIBUTION
Deceased	)	Fee Category: Lb2,L12,L13 Fee: \$38

Your petitioner, Ida M. Goslin, who states and represents to the Court that:

1. Petitioner, as the personal representative of the above-named decedent, has collected and managed the assets of the estate, filed petitioner's inventory herein, paid all lawful claims against the estate, and performed all other acts required of petitioner by the laws of this state pertaining to estates of decedents. No Federal or State inheritance or estate taxes are due or payable, and no filings of estate tax or inheritance tax returns are required to be filed because the gross fair market value of all of the assets of the estate are less than the amount of credit granted by Idaho Code § 14-408(6).
2. The time for presenting claims which arose prior to the death of the decedent has expired, and all claims have been paid, and there are no contingent, unliquidated or future claims against the estate.
3. Petitioner has filed herewith the final accounting.
4. Decedent died testate. The original will of said decedent, dated May 24, 1993, has been previously filed with this Court; petitioner reiterates paragraphs 1, 2, 3, and 8 of her application for informal probate and appointment of Personal Representative, filed in this Court October 17, 1994; the time limit

**PROPOSED
SCHEDULE OF DISTRIBUTION**

Pursuant to the provisions of the Last Will and Testament of said decedent, the entire estate of Thomas E. Goslin in the net amount of \$424,734.22 shall be distributed to the Edwin Goslin Trust, and the composition of that distribution shall be as follows:

1. 100% of the interest of Thomas E. Goslin, Jr., (aka Edwin Goslin) in the Ploeger Place, consisting of the one-half undivided interest in the "Ploeger Place" of Thomas E. Goslin Jr. and any interest of Ida M. Goslin therein
2. 50% of the farm equipment
3. 75% of the "Home Place", consisting of all of the community interest of Thomas E. Goslin Jr. and a contribution by Ida M. Goslin of one-half of her community interest in said "Home Place". Ida M. Goslin remains the holder of an undivided one-quarter interest as her sole and separate property
4. Cash, \$12,669.47

(All other property of said estate shall be set aside to Ida M. Goslin as her sole and separate property in lieu of the contribution of her interest in the Home Place and Ploeger Place to satisfy the dollar amount of the Trust to be established.)

Upon the death of Ida M. Goslin, the remainder of the trust estate shall be distributed pursuant to the terms of the Last Will and Testament of Thomas E. Goslin, Jr.

ESTATE OF EDWIN GOSLIN
ACCOUNTING
June 30, 1995

Assets listed in inventory - September 4, 1995

50% interest Ploeger Place	\$ 68,000.00
Home Place	410,000.00
Livestock	43,358.00
Hay	7,678.00
1989 Chevy Astro Van	9,225.00
1992 Chevy 1/2 ton Pickup	16,050.00
1985 Winnebago Motorhome	18,920.00
Farm equipment	<u>93,388.50</u>
	666,619.50

Assets not listed in inventory - September 4, 1995

Checking account - West One Bank	6,053.31
Life insurance policies	33,955.58
33 shares of Equitable	641.92
Gem Supply Co-op Stock	4,647.41
Account receivable	308.13
Annuities	165,422.48
Savings Account - First Security Bank	474.57
Personal effects	<u>10,000.00</u>
	221,503.40

Liabilities - September 4, 1995

Note payable - life insurance	4,801.11
Accounts payable - medical	<u>251.63</u>
	(5,052.74)
Less community interest	<u>(441,535.08)</u>

Balance - September 4, 1994

441,535.08

Transactions - September 4, 1994 to June 30, 1995

Tax refunds	1,597.50
Gain on sale of livestock	3,290.24
Hay	973.20
Rent	2,825.00
Interest	4,579.92
Loss on sale of equipment	(1,112.25)
Appraisal fees	(3,245.00)
Funeral expenses	(4,502.08)
Interest expense and bank charges	(128.62)
License	(150.34)
Property tax	(1,587.65)
Irrigation	(461.96)
Insurance	(1,098.69)
Machine hire	(1,067.10)
Supply	(414.87)
Feed	(6,707.76)
Vet	(472.59)
Office	(29.00)
Repair	(840.30)
Gas and oil	(1,000.04)
Telephone and utilities	(536.43)
Fertilizer	(803.89)
Depreciation	(4,984.50)
Brand inspection	(46.46)
Accounting	(695.00)
Miscellaneous	<u>(182.19)</u>

Balance to be distributed to Edwin Goslin Trust

(16,800.86)
424,734.22

L. Gorrano
Attorney at Law
P.O. Box 637, 105 N. Hayes
Emmett, Idaho 83617
Telephone: (208) 365-2421

RECEIVED

APR 11 2001

WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM
MAGISTRATE'S COURT

In the Matter of the Estate of	)	Case # <u>SP94-248</u>
	)	
THOMAS E. GOSLIN, JR.,	)	NOTICE OF HEARING
	)	
Deceased	)	

Notice is hereby given that the undersigned Personal Representative of the above-named estate, filed a petition for approval of final settlement and distribution, a copy of which is on file with the clerk of the Court and may be reviewed upon request.

The petition has been set for hearing in this Court at Boise, Idaho, on Wednesday, the 21 day of February 1996, at 3:15 o'clock P.M.

DATED this 29th day of January, 1996.

Ida M. Goslin
Ida M. Goslin

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: **A65-11415**
Date Received: 12/12/1989
Receipt No: X999999
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: EDWIN T GOSLIN 208-365-4270
Address: 944 LOWER BLUFF RD
EMMETT ID 83617
OR
Name: IDA M GOSLIN 208-365-4270
Address: 944 LOWER BLUFF RD
EMMETT ID 83617

2. Date of Priority: APR 1, 1926

3. Source: WASTE WATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	01W	5	SW	NW			GEM
			SW	NW			GEM

5. Description of diverting works:
GRAVITY FLOW FOR IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.560		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

*Even though this is a b.u.
Claim dating into decy,
We will accept because of
stipulation.*

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	01W	5	SW		NW		IRR	12.0
			NW		SW	5	IRR	9.0
							Section Acres	21.0
		6	SW		NE		IRR	2.0
			SE		NE		IRR	15.0
			NE		SE	10	IRR	28.0
			NW		SE	9	IRR	12.0
							Section Acres	57.0
							Total Acres	78.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHT 65-02838 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. THIS RIGHT WAS ORIGINALLY RECOMMENDED AS LICENSED RIGHT 65-02458. ALTHOUGH 65-11415 AND 65-02838 BOTH CONTAIN ACREAGE IN THE SWNE, SEC. 6, TWP. 06N, RGE. 01W, THE ACRES DO NOT OVERLAP. SEE ATTACHED STIPULATION FOR AMENDMENT TO DECREE.

15. Basis of Claim: BENEFICIAL USE

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

Renumbered to A65-11415
Ident. Number: A65-02458
Date Received: 12/12/89
Receipt No: X999999
Received By: 045

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDWIN GOSLIN 208-365-4270
Address: ROUTE 3, BOX 352
EMMETT, ID 83617

OR
Name: IDA M. GOSLIN
Address: ROUTE 3, BOX 352
EMMETT, ID 83617

2. Date of Priority: MAY 03, 1945

3. Source: WASTE WATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	01W	5	SW	NW			GEM
			SW	NW			GEM

5. Description of diverting works:
GRAVITY FLOW FOR IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.740		

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

8. Total consumptive use is 261.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

A65-02458

Page 1

Date: 12/12/89

~~MICROFILMED~~
~~SEP 18 1992~~

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01W	5	SW	NW		IRR	12.0
			NW	SW	5	IRR	9.0
						Section Acres	21.0
		6	SW	NE		IRR	5.0
			SE	NE		IRR	21.0
			NE	SE	10	IRR	28.0
			NW	SE	9	IRR	12.0
						Section Acres	66.0
						Total Acres	87.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree 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: 0

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): Edwin Goslin Date: 12-12-89
Ida M. Goslin Date: 12-12-89

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of December 19 89 Bruce A. Schuld
Notary Public

Seal

Residing at BRUCE A. SCHULD, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO
My Commission Expires MY COMMISSION EXPIRES APRIL 11, 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

May 30, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

EDWIN GOSLIN TRUST
IDA M GOSLIN, TRUSTEE
MARGIE E SCOFIELD, TRUSTEE
944 LOWER BLUFF RD
EMMETT ID 83617

Re: Notice of Claim to a Water Right No. 65-2838, 65-2497 & 65-11415

Dear Claimants:

Enclosed are copies of the above referenced claims, which reflect the necessary name changes for the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist I
Adjudication Section
Western Region Office

DB:db

Enclosure

05/30/2001

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

RIGHT NUMBER: 65-11415

NAME AND ADDRESS: EDWIN GOSLIN TRUST
IDA M GOSLIN, TRUSTEE
MARGIE E SCOFIELD, TRUSTEE
944 LOWER BLUFF RD
EMMETT, ID 83617

SOURCE: WASTEWATER TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.56 CFS

USE OF THIS RIGHT WITH RIGHT NO. 65-02838 IS LIMITED TO
A TOTAL COMBINED DIVERSION RATE OF 0.02 CFS/ACRE.

PRIORITY DATE: 04/01/1926

POINT OF DIVERSION: T06N R01W S5 SWNW Within GEM County
 T06N R01W S6 SWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	1.56 CFS

PLACE OF USE:

<u>IRRIGATION Within GEM County</u>							
T06N R01W S5		SWNW	12	T06N R01W S5	LOT 5	NWSW	9
T06N R01W S6		SWNE	2	T06N R01W S6		SENE	15
T06N R01W S6	LOT 10	NESE	28	T06N R01W S6	LOT 9	NWSE	12

78 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

05/08/2001

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

RIGHT NUMBER: 65-11415

NAME AND ADDRESS: T EDWIN GOSLIN TRUST
IDA M GOSLIN
944 LOWER BLUFF RD
EMMETT, ID 83617

SOURCE: WASTEWATER TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.56 CFS

USE OF THIS RIGHT WITH RIGHT NO. 65-02838 IS LIMITED TO
A TOTAL COMBINED DIVERSION RATE OF 0.02 CFS/ACRE.

PRIORITY DATE: 04/01/1926

POINT OF DIVERSION: T06N R01W S5 SWNW Within GEM County
T06N R01W S6 SWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	1.56 CFS

PLACE OF USE:

<u>IRRIGATION Within GEM County</u>							
T06N R01W S5		SWNW	12	T06N R01W S5	LOT 5	NWSW	9
T06N R01W S6		SWNE	2	T06N R01W S6		SENE	15
T06N R01W S6	LOT 10	NESE	28	T06N R01W S6	LOT 9	NWSE	12

78 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

03/07/2001

NOTICE OF ERROR
REPLY

RECEIVED

APR 11 2001

WATER RESOURCES
WESTERN REGION

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: April 13, 2001

Water right number: 65-11415

IDA M GOSLIN
944 LOWER BLUFF RD
EMMETT ID 83617
Telephone Number: (208)365-4270

EDWIN T GOSLIN
944 LOWER BLUFF RD
EMMETT ID 83617
Telephone Number: (208)365-4270

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:

*Name change- from Edwin T. Goslin to
T. Edwin Goslin Trust — Ida M. Goslin stays the
same*

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: 3-30-01 SIGNATURE: Ida M. Goslin
Please print your name: Ida M. Goslin

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

12/19/2000

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

RIGHT NUMBER: 65-11415

NAME AND ADDRESS: EDWIN T GOSLIN
IDA M GOSLIN
944 LOWER BLUFF RD
EMMETT, ID 83617

SOURCE: WASTEWATER

TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.56 CFS

USE OF THIS RIGHT WITH RIGHT NO. 65-02838 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.02 CFS/ACRE.

PRIORITY DATE: 04/01/1926

POINT OF DIVERSION: T06N R01W S5 SWNW Within GEM County
T06N R01W S6 SWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	1.56 CFS

PLACE OF USE:

<u>IRRIGATION Within GEM County</u>					
T06N R01W S5	SWNW	12	T06N R01W S5	LOT 5	NWSW 9
T06N R01W S6	SWNE	2	T06N R01W S6		SENE 15
T06N R01W S6	LOT 10 NESE	28	T06N R01W S6	LOT 9	NWSE 12

78 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

12/19/2000

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

RIGHT NUMBER: 65-11415

NAME AND ADDRESS: EDWIN T GOSLIN
IDA M GOSLIN
944 LOWER BLUFF RD
EMMETT, ID 83617

SOURCE: WASTEWATER

TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.56 CFS

USE OF THIS RIGHT WITH RIGHT NO. 65-02838 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.02 CFS/ACRE.

PRIORITY DATE: 04/01/1926

POINT OF DIVERSION: T06N R01W S5
T06N R01W S6

SWNE
SWNE

SWNW

Within GEM County
Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
3-15 11-15

QUANTITY
1.56 CFS

PLACE OF USE:

IRRIGATION Within GEM County

T06N R01W S5	SWNW	12	T06N R01W S5	LOT 5	NWSW	9
T06N R01W S6	SWNE	2	T06N R01W S6		SENE	15
T06N R01W S6	LOT 10 NESE	28	T06N R01W S6	LOT 9	NWSE	12

78 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

AJ5809NP
No. A65-11415

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/29/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDWIN T GOSLIN	04/01/1926	IRRIGATION	03-15 11-15	1.560 CFS	
C	IDA M GOSLIN					
	944 LOWER BLUFF RD					
	EMMETT ID 83617					
	(208) 365-4270					
				TOTAL DIVERSION:	1.560 CFS	

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T06N R01W S05

SWNW

~~SWNW~~

GEM County

Place of use Legal Description for: IRRIGATION

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	SUM	
06N	01W	5					12				05-09				21.0	
06N	01W	6			02	15							10-28	09-12	57.0	
														TOTAL ACRES	78.0	

POU County: GEM

Other Rights: NONE

Remarks: EXP

(THIS RIGHT WHEN COMBINED WITH RIGHT 65-02838 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.) THIS RIGHT WAS ORIGINALLY RECOMMENDED AS LICENSED RIGHT 65-02458. ALTHOUGH 65-11415 AND 65-02838 BOTH CONTAIN ACREAGE IN THE SWNE, SEC. 6, TWP. 06N, RGE. 01W, THE ACRES DO NOT OVERLAP. SEE ATTACHED STIPULATION FOR AMENDMENT TO DECREE.

Put in comments

Quant EOI

Remark QNT (EOI)

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Not covered by
check Co.

C18
Add

Comments
Stip. Signed
4/17/90

NO _____

FILED AT A.M. _____ P.M. _____

DATE 5-15-90THELMA R. KOLODZIEL, CLERK
BY Lori Rambow, DEPUTY32
JIM JONES
Attorney GeneralJOSEPHINE P. BEEMAN
Deputy Attorney General
Department of Water Resources
Boise, Idaho 83720
Telephone: (208) 327-7920RECEIVED
MAY 17 1990

Department of Water Resources

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL)	Civil Case No. 3667
DETERMINATION OF THE RIGHTS TO)	
THE USE OF SURFACE AND GROUND)	ORDER AMENDING DECREE OF
WATER OF THE PAYETTE RIVER)	WATER RIGHTS PURSUANT TO
DRAINAGE.)	STIPULATION OF GOSLIN,
_____)	KIENITZ, NEBEKER, REKOW AND
	THE IDAHO DEPARTMENT OF
	WATER RESOURCES

The stipulation of R. Keith Higginson, Director of the Idaho Department of Water Resources, Walter Nebeker and Josephine Nebeker, John H. Kienitz and Karon A. Kienitz, T. Edwin Goslin and Ida Goslin, and Charles L. Rekow and Delma C. Rekow has been filed with the court. Attached to that stipulation is a listing of water rights. Exhibit A attached to this order is the stipulation with the listing of water rights. Since identical stipulations were separately signed by the parties, the stipulation attached as Exhibit A shows only the signature of one of the parties, the Goslins.

The stipulation lists amendments to the decree of water

ORDER AMENDING DECREE OF WATER
RIGHTS PURSUANT TO STIPULATION - 1

rights for the Payette River Drainage Basin. The need for amendments was initially addressed by a motion pursuant to Rule 60(a) of the Idaho Rules of Civil Procedure to correct an omission made by the Idaho Department of Water Resources. That motion was filed March 28, 1988 with the court. Additional corrections have been identified by the parties since that time. Now, by stipulation of the affected parties, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the decree of water rights for the Payette River Drainage Basin be amended as follows:

1. Water right 65-3842 is replaced by two new water rights known as 65-3842A and 65-3842B, as listed in Exhibit A.
2. Water right 65-2360 is replaced in part by a new water right, 65-1387A, listed in Exhibit A; the remaining portion of 65-2360 is shown as amended in Exhibit A.
3. Water right 65-1387B is a new water right listed in Exhibit A; 65-1387B was not previously listed in the water rights for the Payette River drainage basin.
4. Water right 65-2458 is replaced by a new water right, 65-11415, as listed in Exhibit A. Also, of nine acres originally listed with 65-2458, six acres are now shown with 65-2497 and three acres are shown with 65-2838, as listed in Exhibit A.
5. Water right 65-2497 is unchanged except for minor amendments listed in Exhibit A.
6. Water right 65-1390 is unchanged except for minor amendments listed in Exhibit A.
7. Water right 65-2838 as listed in Exhibit A is unchanged except for minor amendments.
8. Water right 65-1393 as listed in Exhibit A is unchanged except for minor amendments.
9. Water right 65-2895 is listed in Exhibit A as licensed subsequent to the filing of the proposed finding of water rights for the Payette River drainage basin.

10. Water right 65-7062 as listed in Exhibit A is unchanged except for minor amendments.

The specific changes accomplished by this Order are more fully set forth in the listing of the water rights accompanying the stipulation, all attached as Exhibit A and that exhibit is incorporated as if fully set forth herein. The exhibit comprises eleven pages.

DATED this 9th day of May, 1990.

JIM R. DOOLITTLE

JIM R. DOOLITTLE
District Judge

JIM JONES
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone: (208) 334-2400

PHILLIP J. RASSIER
JOSEPHINE P. BEEMAN
Deputy Attorneys General
Department of Water Resources
Statehouse
Boise, Idaho 83720
Telephone: (208) 334-7920

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR GEM COUNTY

IN THE MATTER OF THE GENERAL	)	Civil Case No. 3667
DETERMINATION OF THE RIGHTS TO	)	
THE USE OF SURFACE AND GROUND	)	STIPULATION ADDING, AMENDING,
WATER OF THE PAYETTE RIVER	)	AND DELETING RECOMMENDATIONS
DRAINAGE.	)	FOR GOSLIN, KIENITZ,
	)	NESEKER AND REKOW
	)	

R. Keith Higginson, Director of the Idaho Department of Water Resources, Walter and Josephine Nebeker, John H. and Karon S. Kienitz, T. Edwin and Ida Goslin, and Charles L. and Delma C. Rekow, enter into a stipulation resolving an oversight from the record before this court in the Payette Adjudication. This omission or oversight was initially addressed by a motion pursuant to Rule 60(a) filed with the court March 28, 1988.

As explained in the motion on file with the court, the land for which a claim was omitted by the oversight of the Idaho Department of Water Resources is presently farmed by Nebeker and Kienitz. Kienitz owns his land under a contract of sale from the Rekows.

Additional facts not contained in the original motion nor the affidavits which accompanied the motion are agreed to by the parties in this stipulation. Those facts include the following: the waste water rights which are affected by this stipulation are all for waste water from the Emmett Irrigation District. From a review of documents on file with the Idaho Department of Water Resources, the parties agree that the lands now owned or being purchased by Goslin, Nebeker, Rekow and Kienitz began irrigation with waste water (originating from the east side of Washington Street) in the 1920's. Specifically, it appears that the records of the Idaho Department of Water Resources support a priority date of April 1, 1926 for 65-1387A, 65-1387B, and 65-11415, and a priority date of 11-10-1929 for 65-2360. No other individuals are presently using this particular source of waste water. Goslin has two additional water rights (65-2838 and 65-2497) for waste water from this same area which have junior priority dates.

In the process of the negotiations leading to this stipulation, it became apparent that there were other clerical errors in rights for the same lands. Specifically, right 65-3842 originally decreed in the name of Beckman, is appurtenant to lands now owned by Rekow. Further, because part of the land under right 65-3842 is under contract of purchase with Kienitz, the right was split to 65-3842A and 65-3842B.

The changes to the water right claim numbers are reflected in the attached exhibit. Also, where these new claim numbers need to be listed as "Other Rights" where the land to which the

right is appurtenant is also covered by an additional water right, those changes are reflected in the exhibit.

There is a decreed licensed right, 65-2458, which is no longer in the listing of water rights accompanying this stipulation. Right 65-2458 was originally recommended for land that is now covered by 65-11415. The records in the license files at the Department of Water Resources provided evidence that the water use under 65-2458 arose earlier than the priority date indicated on the license. Thus, instead of licensed right 65-2458, beneficial use right 65-11415 is listed in the schedule accompanying this stipulation with a priority date of April 1, 1926. The rate of diversion for 65-11415 is 1.56 cfs, reflecting a clerical correction that only 78 acres can be irrigated from this diversion. Originally, 65-2458 listed a diversion rate of 1.74 cfs for 87 irrigated acres. The points of diversion and places of use are unchanged except for clerical corrections which are indicated.

An additional decreed licensed right 65-2360 is listed with reduced acreage in the attached schedule of rights. The records in the license files at the Department of Water Resources provided evidence that water use on some acres under 65-2360 began earlier than the date on the license. Therefore, 63 acres previously listed with 65-2360 are now listed with 65-1387A in the schedule of rights accompanying this stipulation.

DATED this 17th day of April, 1980.

Josephine P. Beeman
JOSEPHYNE P. BEEMAN
Deputy Attorney General
Department of Water Resources

Water Nebeker

Josephine Nebeker

John H. Kienitz

Karon S. Kienitz

Edwin Goslin
Edwin Goslin

Ida M. Goslin
Ida Goslin

Charles L. Rekow

Delma C. Rekow

LISTING OF WATER RIGHTS

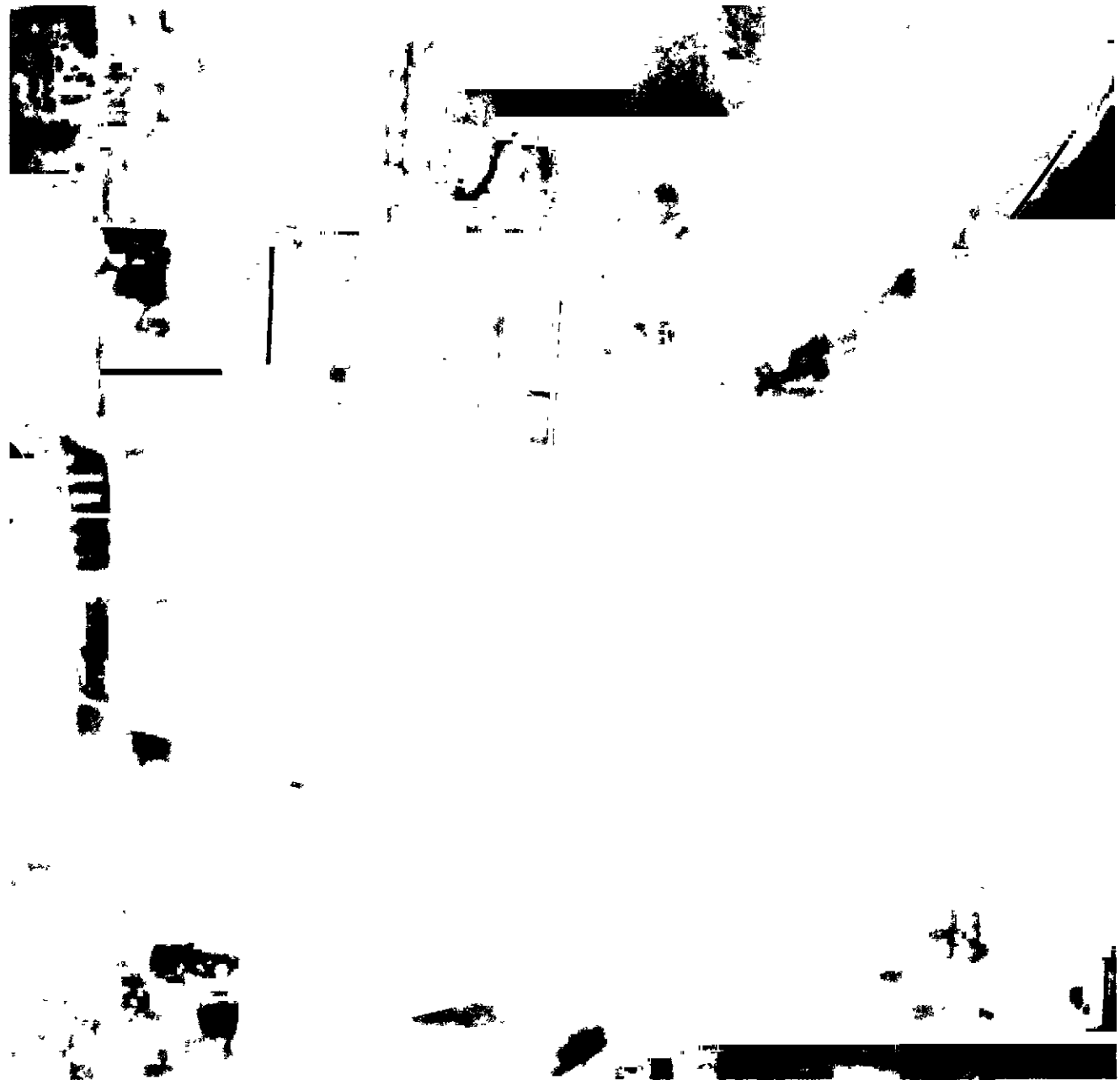
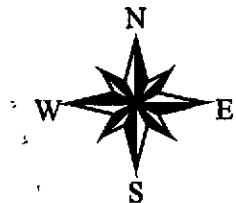
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RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	BASIS OF RIGHT
SOURCE: WASTEWATER		TRIBUTARY: PAYETTE RIVER				
65-11415	Goslin, T. Edwin Goslin, Ida M. 944 Lower Bluff Rd. Emmett, Idaho 83617 Point of Diversion: T6N R1W Sec. 5 Sec. 6 Place of Use: T6N R1W Sec. 6 T6N R1W Sec. 5 78 Acres Total Other Rights: 65-2838 Remarks: This right when combined with right 65-2838 shall provide no more than .02 cfs/acre. This right was originally recommended as licensed right 65-2458. Although 65-11415 and 65-2838 both contain acreage in the SWNE, Section 6, T6N, R1W, the acres do not overlap.	4-1-1926	Irrigation	3-15 11-15	1.56 CFS	Beneficial Use
65-2360	Rekow, Charles L. Rekow, Delma C. 1029 Lilac Ln. Emmett, Idaho 83617 Point of Diversion: T6N R2W Sec. 1 Place of Use: T6N R2W Sec. 1 31 Acres Total Other Rights: 65-2895, 65-1390 Remarks: This right when combined with rights 65-2895 and 65-1390 shall provide no more than .02 cfs/acre. The source for this wastewater right has its origins to the east of Washington Street in Sections 5 and 6 of T6N R2W, B.M. (See points of diversion listed for 65-1387B, 65-2838, and 65-11415.) Wastewater is gained from irrigation occurring between the point of origin and the point of diversion.	11-10-1929	Irrigation	3-15 11-15	.62 CFS	Beneficial Use

Idaho Dept. of Water Resources

Claim No(s): 65-02497,
65-02838, 6511415
T06N, R01W, 5 ,6
Created by: Sue Bock
Date: 9/12/2000

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



0 1000 2000 3000 Feet



1987 NAPP Photo



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states

“When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season.”

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim.

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief