

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-11550
Date Received: 10/06/1988
Receipt No: MO01554
Received By: GC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOE GOITIANDIA 208-726-9600
Address: P.O. BOX 130
KETCHUM, ID 83340

AND/OR

Name: CHERYL GOITIANDIA 208-726-9600
Address: P.O. BOX 130
KETCHUM, ID 83340

2. Date of Priority: AUG 01, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	18E	31	SW	SW	NE		BLAINE
			SE	SW	NE		BLAINE

5. Description of diverting works:
5 WELLS WITH PUMPS CONNECTED TO COMMON PIPELINE NETWORK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.080		
DOMESTIC	01/01	12/31	0.680		
COMMERCIAL	01/01	12/31	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 33 TRAILER SPACES & 1 RENTAL HOUSE, C/ 3 SHOPS & 1 ICE PLANT

A37-11550

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Date: 10/06/88

MICROFILMED
FEB 25 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	18E	31				DOMEST	
			SW	NE		COMMER	
						IRR	4.0
						Section Acres	4.0
						Total Acres	4.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-00458A FOR IRRIGATION

14. Remarks:

THIS CLAIM IS BASED ON THE COMBINATION OF LICENSES 37-7060 AND 37-7578 WHICH HAVE BEEN COMBINED INTO A COMMON SYSTEM WHICH ARE SUPPLIED WATER FROM 5 WELLS.
THE WELLS ARE DESCRIBED AS FOLLOWS:
SPACE 20 1 H.P.
ICE 1 H.P.
SPACE 3 3/4 H.P.
LAWRENCE 2 H.P.
HOUSE 1 H.P.
THESE FIVE WELLS ARE INTERCONNECTED IN A PRESSURE SYSTEM WHICH HAVE A 1000 GAL. PRESSURE TANK. THE BASIS OF PRIORITY IS THE DATE WHEN THE ENTIRE SYSTEM WAS INTERCONNECTED. THE RATE OF DIV. IS BASED ON THE LICENSED AMOUNT OF 37-7060. THIS CLAIM ALSO COVERS THE ADDITIONAL TRAILERS AN COMMERCIAL USES WHICH WERE NOT ORIGINALLY COVERED UNDER THE ORIGINAL LICENSES.

15. Basis of Claim: LICENSE

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Joe White Jr. Date: 10/07/88

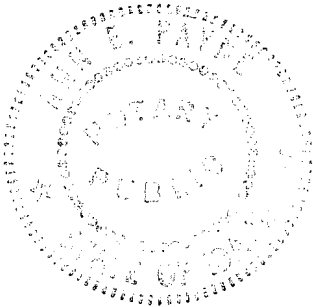
Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of October 19 88

Ann E. Payne
Notary Public

Seal



Residing at Ketchum, Idaho

My Commission Expires October/94



01/11/2007

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

RIGHT NUMBER: 37-11550

NAME AND ADDRESS: JOE GOITIANDIA
PO BOX 2275
KETCHUM ID 83340

CHERYL GOITIANDIA
PO BOX 2275
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.680 CFS
40.800 AFY

Right Nos. 37-458A and 37-11550 are limited to a total combined diversion rate of 0.08 cfs for irrigation purposes.

PRIORITY DATE: 08/01/1979

POINT OF DIVERSION:

T04N R18E S31 SWSWNE Within BLAINE County

T04N R18E S31 SESWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.680 CFS 28.80 AFY
IRRIGATION	04/01 11/01	0.080 CFS 12.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S31 SWNE 4.00

DOMESTIC in BLAINE County

T04N R18E S31 SWNE

4 ACRES TOTAL

Right Nos. 37-458A and 37-11550 are limited to the irrigation of a combined total of 4 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

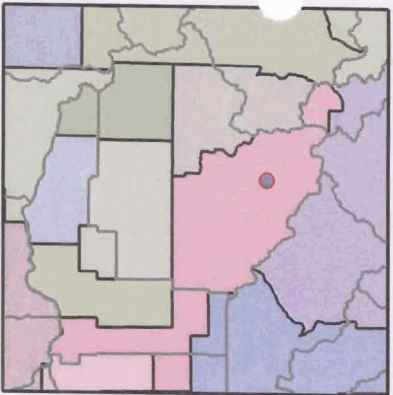
SRBA Recommendation:

37-11550

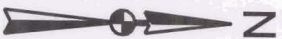
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37



T04N

R18E

SWNE

31



Prepared by J. Dean
On Thursday, January 11, 2007
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-11550 V1

WATER RIGHT NUMBER: 37-11550 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOE GOITIANDIA PO BOX 2275 KETCHUM, ID 83340 (208)725-2090
Current Owner	CHERYL GOITIANDIA PO BOX 2275 KETCHUM, ID 83340 (208)725-2090

Priority Date: 08/01/1979

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.680 CFS	28.80 AF
IRRIGATION	04/01 to 11/01	0.080 CFS	12.00 AF
	<u>Total Diversion:</u>	0.680 CFS	40.80 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4NE1/4	Sec. 31, Twp 04N, Rge 18E, B.M.
BLAINE County		
GROUND WATER	SW1/4SW1/4NE1/4	Sec. 31, Twp 04N, Rge 18E, B.M.
BLAINE County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	31			X														

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	31			4.0														4.0

Total Acres: 4

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-11550 V1

Conditions of Approval:

1. E51 Right Nos. 37-458A and 37-11550 are limited to a total combined diversion rate of 0.08 cfs for irrigation purposes.
2. C18 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.
3. E55 Right Nos. 37-458A and 37-11550 are limited to the irrigation of a combined total of 4 acres in a single irrigation season.

Remarks:

Comments:

1. jdean 1/11/2007 Priority Date

Comment: The claimed priority date is after both of the licensed priority dates. Recommended the claimed priority date.

2. jdean 1/11/2007 Purpose of Use

Comment: The claimed commercial use could not be verified based on the licenses so it was dropped from the recommendations.

3. jdean 1/11/2007 Quantity

Comment: The total diversion rate was claimed at 0.68 which was the licensed amount for the domestic license (37-7060). The total diversion volume was not claimed and was recommended as the combined volume of 37-7060 and 37-7578 or 40.8 afy.

4. jdean 1/11/2007 Comment from claim

Comment: THIS CLAIM IS BASED ON THE COMBINATION OF LICENSES 37-7060 AND 37-7578 WHICH HAVE BEEN COMBINED INTO A COMMON SYSTEM WHICH ARE SUPPLIED WATER FROM 5 WELLS. THE WELLS ARE DESCRIBED AS FOLLOWS: SPACE 20 1 H.P.

ICE 1 H.P.

SPACE 3 3/4 H.P.

LAWRENCE 2 H.P.

HOUSE 1 H.P.

THESE FIVE WELLS ARE INTERCONNECTED IN A PRESSURE SYSTEM WHICH HAVE A 1000 GAL. PRESSURE TANK. THE BASIS OF PRIORITY IS THE DATE WHEN THE ENTIRE SYSTEM WAS INTERCONNECTED. THE RATE OF DIV. IS BASED ON THE LICENSED AMOUNT OF 37-7060. THIS CLAIM ALSO COVERS THE ADDITIONAL TRAILERS AN COMMERCIAL USES WHICH WERE NOT ORIGINALLY COVERED UNDER THE ORIGINAL LICENSES.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-11550 V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
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4

Combined Water Rights: 37-458A , 37-11550

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	1/11/2007 9:21:08 AM	jdean			Active
Priority Date	1/11/2007 9:22:12 AM	jdean			Active
POD	1/11/2007 9:27:24 AM	jdean			Active
Source	1/11/2007 9:28:14 AM	jdean			Active
POU	1/11/2007 9:31:02 AM	jdean			Active
Use	1/11/2007 9:32:05 AM	jdean			Active
Season	1/11/2007 9:51:59 AM	jdean			Active
Quantity	1/11/2007 9:55:25 AM	jdean			Active
Summary			01/11/2007	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	1/11/2007 9:27:25 AM	jdean	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POU	1/11/2007 9:29:26 AM	jdean	Updated shape for Active POU
POD	1/11/2007 9:25:27 AM	jdean	Updated shape from PLS
POD	1/11/2007 9:25:49 AM	jdean	Updated PLS

IDAHO DEPARTMENT OF WATER RESOURCES

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POD	1/11/2007 9:26:11 AM	jdean	Updated shape from PLS
POD	1/11/2007 9:26:27 AM	jdean	Updated PLS
Summary	1/11/2007 10:09:16 AM	jdean	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Summary	11/3/2006 4:56:44 PM	CFRITSCH	Bulk Copy
Contacts	1/11/2007 9:21:09 AM	jdean	(No) 1. Do you want to schedule an appointment? Comment for 1: Desk Review
Source	1/11/2007 9:28:14 AM	jdean	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	1/11/2007 9:30:10 AM	jdean	Updated shape for Active POU
POU	1/11/2007 9:31:03 AM	jdean	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
General	1/11/2007 9:22:13 AM	jdean	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (No) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	1/11/2007 9:29:36 AM	jdean	Updated PLS for Active POU
POU	1/11/2007 9:30:23 AM	jdean	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

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Use	1/11/2007 9:32:06 AM	jdean	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (No) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - The Purposes of use verified by the licenses were recommended and the commercial use was dropped from the recommendation.
Season	1/11/2007 9:51:59 AM	jdean	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	1/11/2007 9:55:26 AM	jdean	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - 4 acres * 3 afy/acre = 12 afy

Water Supply Bank: