

SRBA

SUBCASE SUMMARY REPORT 78-04117

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SRBA
03-20-2001

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 78-04117 FILE#: 00000
CLAIMANT: GOODMAN, GWENLYN D
STATUS: PD UNDELIVERED
WATER SOURCE: GROUNDWATER,

****** PARTIES INVOLVED ******

GWENLYN D GOODMAN C PRO SE

****** ROA ENTRIES ******

08-18-2000 PARTIAL DECREE FILED
09-18-2000 PARTIAL DECREE RETURNED UNDELIVERABLE

08-18-2000
09-18-2000

[Return to SRBA Home Page](#)

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: A78-04117
Date Received: 4/07/1988
Receipt No: 0000319

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GWENLYN D. GOODMAN 208-347-2213
Address: P.O. BOX 35
NEW MEADOWS, ID 83654

2. Date of Priority: JUN 01, 1898

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	02E	17	SW	NW	SW		ADAMS

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 FAMILY

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
19N	02E	17	NW	SW		DOMEST	

11. Place of use in counties: ADAMS

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

A78-04117

Page 1

Date: 04/07/88

MICROFILMED
OCT 06 1992

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

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: _____

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): Steven W Goodman Date: 4/7/88

Date: _____

State of Idaho)
County of Ada) SS.

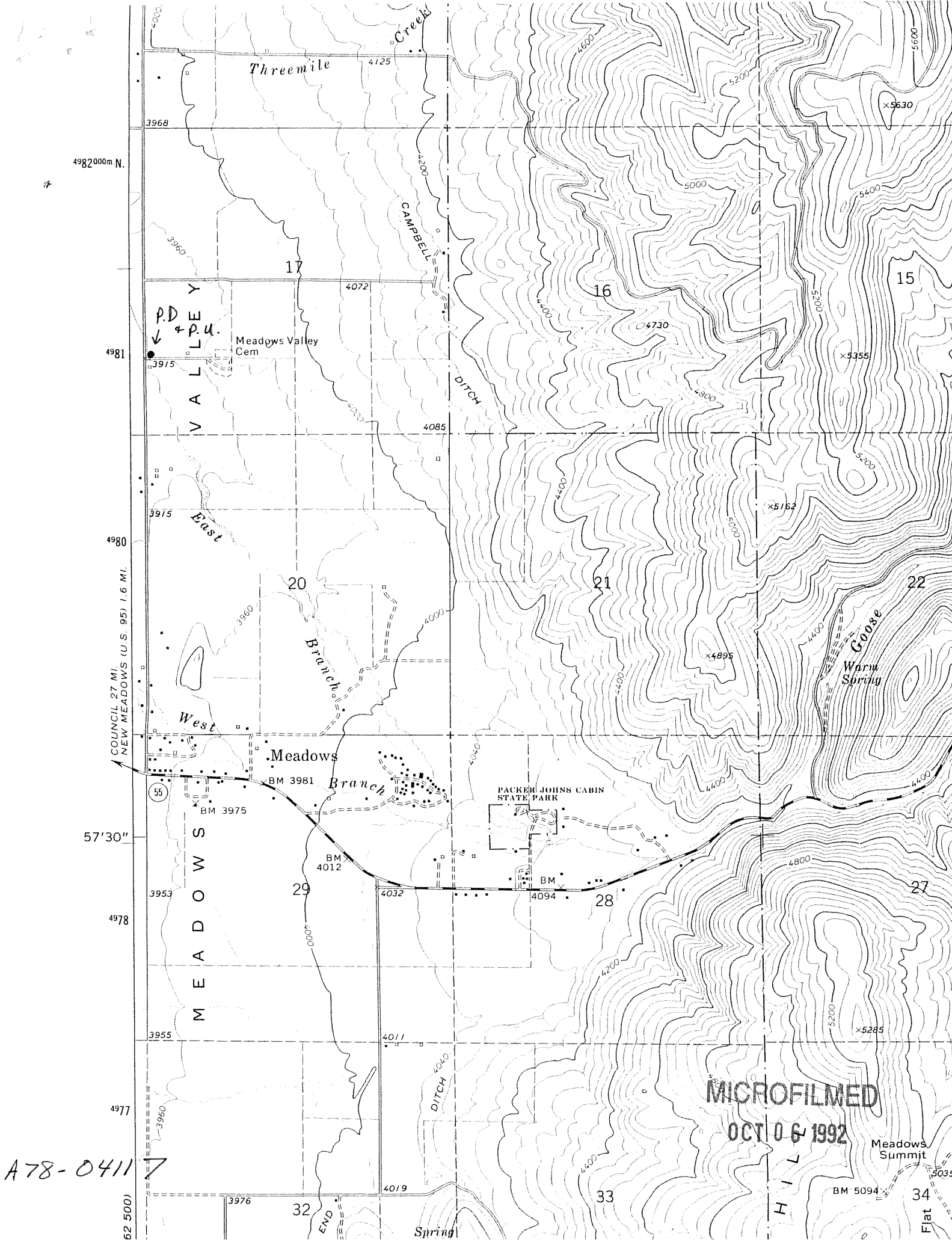
Subscribed and sworn (or affirmed) before me this 7th day
of April 19 88

Carter Fritchle
Notary Public

Seal

Residing at Eagle, Id
My Commission Expires 3-21-94

A78-0411





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 20, 2001

JONATHON BUTLER
4310 N SOLDIER TRAIL
TUCSON AZ 85749

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 78-04117

Dear Property Owner:

We have been advised you may be the new owner of the property with the water right referenced above. Enclosed is a profile report for your review.

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions on the back of the form and return to this office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

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

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 5, 2001

RECEIVED

MAR 16 2001

WATER RESOURCES
WESTERN REGION

Dick or Margery Clay
PO Box 150
New Meadows, ID 83654

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 78-04070, 78-04117

Dear Mr. and Mrs. Clay:

The above mentioned rights were filed on by Gwendolyn Goodman, each claim is for domestic use associated with 1 home. We believe you may be the owner of one or both of these rights (see enclosed report).

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions on the back of the form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Adjudication Section
Western Region

not papers included.

Enclosures

*Dick & I took this to the Courthouse in Council
the other day. These adjudication claims belong to the old
Gwen Goodman Ranch that sold to Jonathan Butler at least
4 or 5 years ago. The land & water is right next to ours. They
bought that 42 acres from us in 1998.*

*Dick & Margery Clay
P.O. Box 150*

New Meadows, Id. 83654

AJ5809NP
No. 78-04117

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/06/01
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GWENLYN D GOODMAN - Butler, Jonathan ~~PO BOX 35~~ NEW MEADOWS ID 83654 (208) 347-2213	06/01/1898	DOMESTIC	01-01 12-31	0.060 CFS	
TOTAL DIVERSION:					0.060 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T19N R02E S17

SWNWSW

ADAMS 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	:
19N 02E 17 :																						

POU County: ADAMS

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP19N02E174800

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

RECEIVED
MAR 16 2001
WATER RESOURCES
WESTERN REGION



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

February 5, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Mark Butler
9280 E Old Vail Rd
Tucson, AZ 85748

Re: Change of ownership on claim nos. 78-04070 and 78-04117.

Mr. Butler:

Upon solicitation from our department you submitted an ownership change form and warranty deed for the water rights shown above.

Your warranty deed covers land in T19N, R02E, Sec 16, Lot 4. Right 78-04070 was claimed for a domestic home located in T19N, R02E, Sec 17, NESE, and right 78-04117 was claimed for a domestic home located in T19N, R02E, Sec 17, NWSW. It appears that these rights are not appurtenant to your property.

I am sorry for the delay in responding to you. If you have any questions, please call.

Adjudication
Western Region

SB:s



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 5, 2001

Dick or Margery Clay
PO Box 150
New Meadows, ID 83654

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 78-04070, 78-04117

Dear Mr. and Mrs. Clay:

The above mentioned rights were filed on by Gwendolyn Goodman, each claim is for domestic use associated with 1 home. We believe you may be the owner of one or both of these rights(see enclosed report).

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions on the back of the form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Adjudication Section
Western Region

Enclosures

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

RECEIVED

JAN 25 1999

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): A 78-04070 & A 78-04117
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant GUENLYN GOODMAN
P.O. BOX 35
NEW MEADOWS, ID 83654
4. New Owner/Claimant(s) MARK BATLER
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 9280 E OLD VAIL RD
City, State and ZIP Code TUCSON AZ 85748
New Telephone Number (520) 574-7353 X103
5. Date you acquired the property 7/27/98
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 0 Number and type of stock 0
Diversion rate in CFS _____ Number of homes 0 Other uses forest land
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) X [Signature]
- Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

WARRANTY DEED

For Value Received Dick H. Clay aka Dick Clay & Margery E. Clay aka Margery Clay, husband and wife, as to a life estate
 AND Dick H. Clay & Margery E. Clay, Co-Trustees of The Dick & Margery Clay Trust UTA dated 8/30/95, and their substitutes and successors as trustee thereunder, as to the remainder

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Jonathon Mark Butler and Laurie S. Butler, husband and wife

whose address is: 4310 N. Soldier Trail, Tucson, AZ, 85749

Hereinafter called the Grantee, the following described premises situated in ADAMS County, Idaho, to-wit:

TOWNSHIP 19 NORTH, RANGE 2 EAST, BOISE MERIDIAN, ADAMS COUNTY, IDAHO
 SECTION 16: LOT 4

No guarantee of access over the Osborne Property is made or implied.

No Water Rights are implied or pass with this deed.

Title is subject to easements and encumbrances of record or visible or in use on property. Title is also subject to First American Title Insurance Company (agent: Timberline Title & Escrow Co.) preliminary Commitment Order # 100-98-370, Schedule B, all Section 2 Exceptions, except for Exception # 10.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except those referenced above, current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: August 1, 1998

Dick H. Clay
 Dick H. Clay, Co-Trustee of The Dick & Margery Clay Trust UTA dated 8/30/95

Margery E. Clay
 Margery E. Clay, Co-Trustee of The Dick & Margery Clay Trust UTA dated 8/30/95

Dick H. Clay
 Dick H Clay aka Dick Clay

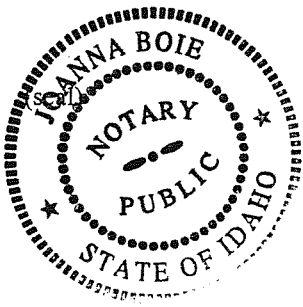
Margery E. Clay
 Margery E Clay aka Margery Clay

Notary acknowledgment attached to Warranty Deed Clay to Butler

State of IDAHO)
County of VALLEY)

On this 15th day of August, 1998, before me, the undersigned, Joanna Boie, a Notary Public for said State, personally appeared Dick H. Clay and Margery E. Clay, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

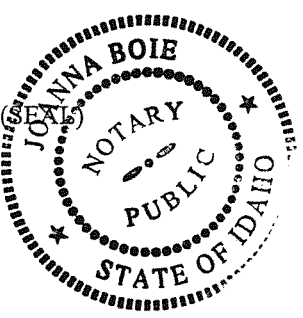
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Joanna Boie
Notary Public for Idaho
Residing At: McCall
My Commission Expires: 03-25-2000

STATE OF Idaho
COUNTY OF valley

On this 15th day of August, 1998 before me, Joanna Boie personally appeared Dick H. Clay and Margery E. Clay, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument as Trustees of the Dick and Margery Clay Trust UTA dated 8/30/95 and acknowledged to me that they executed the same.



Joanna Boie
Notary Public State of Idaho
Residing at: McCall
Comm. Expires: 03-25-2000

INSTRUMENT NO. 94445
State of Idaho)
County of Adams) ss.

Filed for record at the request of
Timberline Title & Escrow
30 min. past 4 o'clock P.M.
this 4 day of August, 1998
MICHAEL FISK, RECORDER
by Leahy Pinkal
Deputy

Fee \$ 6.00

Grant of Easement

This Grant of Easement (this "Grant") is made between Jonathon Mark Butler and Laurie S. Butler, husband and wife, ("Grantor"), whose address is 4310 N. Soldier Trail, Tucson, Arizona 83749, and Dick Clay aka Dick H. Clay and Marjery Clay aka Margery E. Clay, individually and as co-trustees of the Dick & Margery Clay Trust under trust agreement dated August 30, 1995, and their substitutes and successors as trustees thereunder (hereinafter collectively "Clay") whose address is P.O. Box 150, New Meadows, Idaho 83654, and Marshall Dean Dryden and Sandra Mary Dryden, husband and wife (hereinafter collectively "Dryden"), whose address is P.O. Box 312, New Meadows, Idaho 83654 (the Clays and the Drydens being hereinafter collectively called "Grantee").

The following recitals of fact are a material part of this instrument:

A. Grantor is the owner of the real property that is legally described as Lot 4 in Section 16, Township 19 North, Range 2 East, B.M., Adams County, Idaho and the NE 1/4 of the SE 1/4 of Section 17, Township 19 North, Range 2 East, B.M., Adams County, Idaho (both parcels hereinafter called "Parcel A").

B. Clay is the owner of the real property that is legally described as the NE1/4 of the NW1/4 of Section 21, Township 19 North, Range 2 East, B.M., Adams County, Idaho and SW1/4 E1/2 NW1/4 and W1/2 NE1/4, all in Section 21, Township 19 North, Range 2 East, B.M., Adams County, Idaho. Dryden is the owner of the real property legally described as the W1/2 of the NW1/4, the NE1/4 of the NE1/4, and the SE1/4 of Section 21, and the NE1/4 of the NE1/4, the N1/2 of the NW1/4 of the NE1/4 and the N1/2 of the NE1/4 of the NW1/4 of Section 28, all in Township 19 N, Range 2 East, B.M., Adams County, Idaho. Both the Clay Parcels and the Dryden Parcels are hereinafter collectively called "Parcel B".

C. Grantor desires to grant and Grantee desires to acquire an easement over, under, and across the land described in Paragraph A above (the "Easement Premises").

Now, therefore in consideration of \$10.00 and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following grants, agreements, covenants, conditions and restrictions are made and established.

1. Grantor hereby grants to Grantee as an easement appurtenant to Parcel B, an easement ("Easement") for ingress and egress over, under and across the Easement Premises.

2. Use of the Easement is to benefit Parcel B and is limited to the use of Parcel B for ranching, residential, forestry, and timber harvest purposes; provided, however, that the Grantee may not use the Easement to haul timber more than ten (10) days during each calendar year. Grantee is to choose the specific days used by the Grantee for

timber harvest. The Easement may not be used for the benefit of any additional land that may hereafter come into common ownership with Parcel B. The installation or maintenance by Grantee of fences, gates, pipes, conduits, or weires, under, upon, or over the Easement Premises is forbidden except as is reasonably necessary for use of the Easement, subject to Grantor's approval, in writing, regarding Grantee's said installation and maintenance, methods and materials. Grantor's response time shall be reasonable under the circumstances and Grantor's approval shall not be unreasonably withheld. Exclusive use of the Easement is not granted. The right to use the easement for ingress and egress is expressly reserved by Grantor. Additionally, Grantor reserves the right to make any subsurface use of the Easement Premises that does not unreasonably interfere with Grantee's use of the Easement.

3. Easement is granted to Dick Clay aka Dick H. Clay and Margery Clay aka Margery E. Clay, husband and wife, individually and as co-trustees of the Dick and Margery Clay Trust, and to Marshall Dean Dryden and Sandra Mary Dryden, husband and wife, and to the respective heirs, employees and agents of the Clays and the Drydens for a limited period of time, commencing August 1, 1998 and ending August 1, 2000 or upon the start of residential construction on Lot 4, Section 16, Township 19 N, Range 2 East, B.M., Adams County, Idaho, whichever event occurs first.

4. If either the Clay parcels or the Dryden parcels is hereafter divided into two parts by separation of ownership or by lease, only the parts owned by the Clays or the Drydens shall continue to enjoy use of the Granted Easement. Division of the dominant tenement into any additional parts shall be deemed an unlawful increase of burden and use of the Easement may be enjoined. Separation of ownership or leasing among the Clays, the Clay Trust, the Clay heirs, or the Drydens shall not be considered a division of the parcels for the purposes of this paragraph.

5. Grantor reserves the right to relocate the Easement as may be necessary, appropriate, or desirable to facilitate the use and enjoyment of Parcel A, so long as the relocated Easement continues to provide reasonable ingress and egress to Parcel B through Parcel A. The current location of the Easement across Parcel A is shown on the map/drawing attached hereto and incorporated herein by this reference.

6. Grantee accepts the Easement and Easement Premises in their condition "AS IS, WHERE IS, AND WITH ALL FAULTS". Grantor has and assumes no obligation to maintain or improve the Easement or the Easement Premises. Grantee will maintain the Easement as is reasonably necessary. Grantor and Grantee shall agree, in writing, regarding Grantee's said installation and maintenance methods and materials. Grantor's response time shall be reasonable under the circumstances and Grantor's approval shall not be unreasonably withheld.

7. Each Grantee agrees to indemnify, defend, and hold Grantor harmless from and against any and all liability for any injury, damage, or loss arising out of or in connection with the use of the Easement by said Grantee and said Grantee's agents and employees.

8. No guarantee of access across Osborne property is made or implied.

9. All provisions of this instrument including the benefits and the burdens, shall run with the land and are binding upon and inure to the benefit of the parties and their respective heirs, assigns, successors, tenants, and personal representatives, see especially Paragraph 3 above.

10. Whenever a transfer of ownership of any parcel takes place, the liability of the transferor for breach of any covenant regarding the transferred parcel occurring thereafter automatically terminates.

11. Any party may enforce this instrument by appropriate action and the prevailing party shall be entitled to recover its reasonable costs and attorney's fees.

12. This instrument will be recorded in Adams County, Idaho, immediately after its execution. Any Grantee may terminate its interest in this instrument by recording a release in recordable form with direction for delivery to Grantor at its last known address, whereupon all rights, duties, and liabilities created by this instrument shall terminate as to that Grantee. For convenience, such instrument may run "to the owner or owners and parties interested" in Parcel "A".

Executed as of August 1, 1998

Grantor
Jonathon Mark Butler and Laurie S. Butler,
husband and wife

By: [Signature]

By: [Signature]

Grantee
Dick Clay and Margery Clay, individually
and as co-trustees of the Dick and Margery
Clay Trust

By: [Signature]

By: [Signature]

INSTRUMENT NO. 94446

State of Idaho)
County of Adams) ss.

Filed for record at the request of
Timberline Title & Escrow

31 min. past 4 o'clock P.M.
this 4 day of August, 1998

MICHAEL FISK, RECORDER
by [Signature]
Deputy

Fee \$ 15.00

STATE OF IDAHO)

COUNTY OF VALLEY)

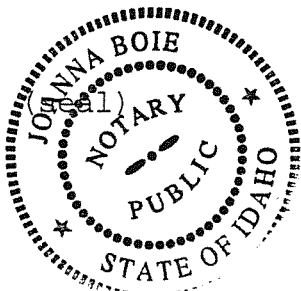
On this 1st day of August, 1998 before me, Joanna Boie, personally appearedJonathon Mark Butler andLaurie S. Botlee, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Joanna Boie
 Notary Public State of Idaho
 Residing at: McCall
 Comm. Expires: 03-25-2000

State of IDAHO)
 :SS
 County of VALLEY)

On this 1st day of August, 1998, before me, the undersigned, Joanna Boie, a Notary Public for said State, personally appeared Dick H. Clay and Margery E. Clay, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

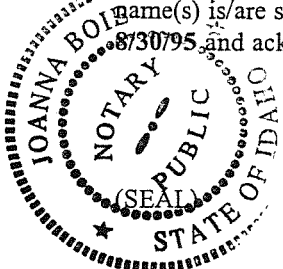
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Joanna Boie
 Notary Public for Idaho
 Residing At: McCall
 My Commission Expires: 03-25-2000

STATE OF Idaho)COUNTY OF Valley)

On this 1st day of August, 1998 before me, Joanna Boie personally appeared Dick H. Clay and Margery E. Clay, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument as Trustees of the Dick and Margery Clay Trust UTA dated 8/30/95 and acknowledged to me that they executed the same.



Joanna Boie
 Notary Public State of Idaho
 Residing at: McCall
 Comm. Expires: 03-25-2000

M.A. D.E.C.
J.R. M.E.C.

RECORD OF SURVEY
situate in
Govt. Lot 4,
Sec. 16, T.19N., R.2E., B.M.,
Adams County, Idaho,
for

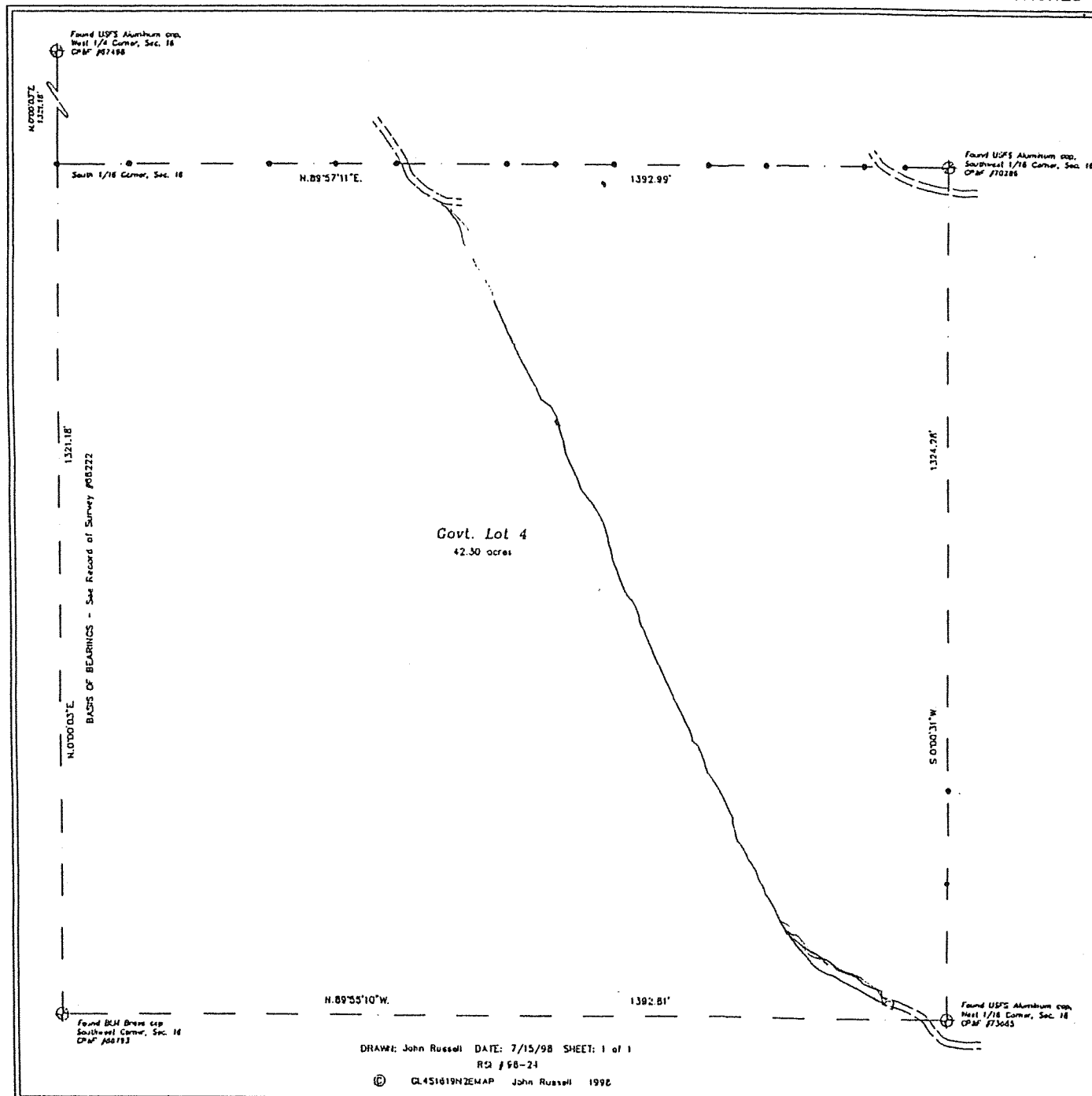
by Russell Surveying, Inc.
McCall ~ Idaho
July 1998.

INSTRUMENT NO. 94446
PAGE 5 OF 5

LEGEND

- - Set 5/8"x30" rebar, marked LS 6021
- ⊕ - Cadastral Corner
- - Set 10th on line

I, John Russell, a Registered Land Surveyor, do hereby certify that this plot was prepared from notes taken during an actual survey made by me in July 1996 and that it correctly represents the points, courses and distances as recorded in said field notes.



RECORDERS STAMP

RECORD OF SURVEY
situate in
Govt. Lot 4,
Sec. 16, T.19N., R.2E., B.M.,
Adams County, Idaho,
for

Mark & Laurie Butler

by Russell Surveying, Inc.
McCall ~ Idaho
July 1998.

SCALE: 1" = 100'
Bearings based on Record of Survey #66222

LEGEND

- = Set 5/8"x30" rebar, marked LS 6021
- ⊕ = Cadastral Corner
- = Set 1/4" on line

I, John Russell, a Registered Land Surveyor,
do hereby certify that this plat was prepared from
notes taken during an actual survey made by me in
July, 1998, and that it correctly represents
the points, courses and distances as recorded in
said field notes.



DRAWN: John Russell DATE: 7/15/98 SHEET: 1 of 1

RSI # 98-24

© CL451619NZEMAP John Russell 1998

Found USFS Aluminum cap,
West 1/4 Corner, Sec. 16
CP&F #67498

South 1/16 Corner, Sec. 16

N.89°57'11"E.

1392.99'

Found USFS Aluminum cap,
Southwest 1/16 Corner, Sec. 16
CP&F #70286

Govt. Lot 4
42.30 acres

1321.18'
BASIS OF BEARINGS - See Record of Survey #66222

N.100°03'E

1324.28'

S.00°03'1"W.

N.89°55'10"W.

1392.81'

Found BLM Brass cap
Southwest Corner, Sec. 16
CP&F #66793

Found USFS Aluminum cap,
West 1/16 Corner, Sec. 16
CP&F #73045

Russell Surveying, Inc.

P.O.Box 945 — 702 W. Lakeside
 McCall, Idaho 83638
 (208) 634-7607

COPY

RUSSELL SURVEYING PROJECT CONTRACT

Client Name: Mark & Laurie Butler	Project Name: Butler Survey
Address: * 3728 Cemetery Road	Russell Surveying Project #: 98-24
City, State, Zip: * New Meadows, ID. 83654	Clients Project #: Unknown
Phone: 208-347-3032 *	Project Location: Govt. Lot 4, Section 16, T.19N., R.2 E., B.W., Meadows Valley, Idaho
Client Rep.: Robin Richardson, First American Title, 634-4705	Russell Surveying Rep.: John Russell
Begin date: July 13, 1998	Type of fee: Time & Materials
Est. completion date: July, 1998	Fee Estimate: Not to Exceed, see below
Client to be billed, when: Upon completion of survey	Client to pay fee, when: Upon receipt of invoice

Service required (see attachments): Set northwest corner of Govt. Lot 4, S18, 19N, 2E. Mark boundaries with 1"th approx. every 200 feet, as noted below:

North boundary: ___Yes ___No
 East boundary: ___Yes ___No
 South boundary: ___Yes ___No
 File Record of Survey

Not to exceed estimate, time and materials rates: Set northwest corner and mark north boundary: \$1600.00
 Mark east and south boundaries: \$1000.00.
 Estimate based on the volume of the survey work.

Russell Surveying, Inc. guarantees the final result of the services rendered to represent what the client has ordered, hereon, and the workmanship to be conducted in a timely and orderly manner complying with local, State, and/or Federal statute governing the surveying profession. In return, the client guarantees to pay the above rates and fees within the prescribed time period. Russell Surveying, Inc. reserves the rights to hold all certificates, maps, and other project related information until payment in full has been tendered and received, together with all rights to lienhold interests. Interest on unpaid balances more than 60 days past due of 10%, interest penalties, and attorney fees in regards to collection of same payment in full.

7/10/98 by John Russell for Russell Surveying, Inc.

7/13/98 by Laurie Butler for _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

~~NO SERVICE REQUESTED~~

IMPORTANT WATER RIGHT INFORMATION

78-04117
GWENLYN D GOODMAN
PO BOX 35
NEW MEADOWS ID 83654

ADDRESS SERVICE
REQUESTED

- ☐ Moved, left no address
- ☒ No such number
- ☒ Moved, not forwardable
- ☐ Attempted but known

EXP order
+
Desired

RECEIVED

MAR 12 1999

Department of Water Resources





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

78-04117
GWENLYN D GOODMAN
PO BOX 35
NEW MEADOWS ID 83654

RE: Domestic and/or Stockwater Rights in Reporting Area 24, Basin 78
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basin 78 (the Little Salmon River drainage area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in basin 78 will be recommended in a later process.

Note that you have 180 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the county courthouses in Burley, Gooding, Jerome, Mountain Home, Twin Falls, Murphy, Boise, Caldwell, Payette, Weiser, Council, Grangeville, Lewiston, Nezperce, Cascade, Salmon, Challis, and all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed as recommended after the 180-day objection period. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

AJ0749NP
No. R78-04117

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/04/98
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GWENLYN D GOODMAN PO BOX 35 NEW MEADOWS ID 83654 (208) 347-2213	06/01/1898	DOMESTIC	01-01 12-31	0.06 CFS	
TOTAL DIVERSION:					0.06 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T19N R02E S17 SWNWSW

ADAMS County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
19N	02E	17	:					:					:					:					:

POU County: ADAMS

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP19N02E174800

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 12/04/98 LHARRIS

AJ0749NP
No. R78-04117

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/09/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GWENLYN D GOODMAN PO BOX 35 NEW MEADOWS ID 83654 (208) 347-2213	06/01/1898	DOMESTIC	01-01 12-31	0.06 CFS	
TOTAL DIVERSION:					0.06 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T19N R02E S17

SWNWSW

ADAMS 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
19N 02E 17	:		:		:		:		:		:		:		:	

POU County: ADAMS

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP ^{PN} RP19N02E174800

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 11/09/98 AWAARNTJE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

September 29, 1998

KARL J. DREHER
DIRECTOR

RE: Snake River Basin Adjudication (SNRA)
Water Right No. A78-04070 & A78-04117

JONATHON MARK
LAURIE S BUTLER
4310 N SOLDIER TR
TUCSON AZ 85749

Dear Mr. Mark & Ms. Butler:

We have been advised you may be the new owner(s) of the property with the water right referenced above.

Before we can modify our records to reflect your new ownership of the water right referenced above, we need Form 42-248/42-1409(6) completed. This form is enclosed for your use. Please return the **form, documentation and proof of domestic use** to my attention at this office no later than **October 10, 1998**.

Please call this office toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

Anita L. Warntjes
Administrative Assistant
Adjudication Bureau

ALW
Encl: Form 42-248/42-1409(6)
Water Right Profile Report

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: FEB-12-1998
PAGE: A-172

RIGHT NUMBER: 78-04117

NAME & ADDRESS: ~~GWENLYN D GOODMAN~~
~~PO BOX 35~~
~~NEW MEADOWS ID 83654~~

Jonathan Mark & Laurie S Butler
4310 N Soldier Tr
Tucson AZ 85749

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

PRIORITY DATE: 06/01/1898

POINT OF DIVERSION: T19N R02E S17

SWNWSW ✓

Within ADAMS County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

DOMESTIC D/1 FAMILY ✓

PERIOD OF USE

01-01 12-31

QUANTITY

0.06 CFS

PLACE OF USE:

DOMESTIC

T19N R02E S17

Within ADAMS County

NWSW ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - STATUTORY CLAIM

RP19N02E174800A

Verified by alw Date: 9/24/98

Verification Source: parcel folder + plat
map