

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: **A63-26434**
Date Received: 3/26/1990
Receipt No: W011718
Received By: _____

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

1. Name: JOHN W GOODYEAR 503-223-2303
Address: 2920 NW MONTE VISTA TERRACE
PORTLAND OR 97210

2. Date of Priority: APR 1, 1885

3. Source: INDIAN CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	36	NE	SW			CANYON

5. Description of diverting works:
DIRECT DIVERSION, CANVAS HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK, 26-50 RANGE CATTLE & HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	26	NE	SW		IRR	6.0
			NE	SW		STOCK	

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	6.0
					Total Acres	6.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

ATTACHED ARE (1) POWER OF ATTORNEY FOR JOHN W. GOODYEAR BY CLARA P. STEWART; (2) MAP FOR LOCATING PROPERTY; (3) NOTICE OF WATER RIGHT LOCATION (1902); (4) AFFIDAVIT OF CLARA POWELL (1907); AND (5) AGREEMENT BETWEEN PIONEER IRR. DIST. AND CLARA GOODYEAR (1940).
CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 4/17/92.

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

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State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
MAR 30 1992

DATE OF CLOSING: _____

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 04N Range 03W
Section 26, 1/4 of NE 1/4 of SW 1/4, Govt. Lot _____, BM. and SESW
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) AG3-26434, AG3-26435, AG3-26436
Assigned by IDWR: unnumbered Adjudication Claims (5) AG3-26437
AG3-26438
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Clara P. Stewart
2920 NW Monte Vista Terrace
Portland, OR
- ☐ New Owner/Claimant (Purchaser): John W. Goodyear
- ☐ New Mailing Address: 2920 N.W. Monte Vista Terrace
Portland, Oregon 97210
- ☐ New Telephone Number: (503) 223-2303
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Copies of death certificate of Clara P. Stewart and deed from John W. Goodyear as foreign personal representative of the estate of Clara P. Stewart to John W. Goodyear, grantee

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) John W. Goodyear Date 3/26/1992
Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

CERTIFICATION OF VITAL RECORD

107338

I.D. TAG NO.

03542

Local File Number

OREGON DEPARTMENT OF HUMAN RESOURCES

HEALTH DIVISION

CENTER FOR HEALTH STATISTICS 136-

CERTIFICATE OF DEATH

State File Number

1. DECEDENT'S NAME First: <u>Clara</u> Middle: <u>P</u> Last: <u>STEWART</u>			2. SEX <u>Fe</u>	3. DATE OF DEATH (Month, Day, Year) <u>June 29, 1991</u>
4. SOCIAL SECURITY NUMBER <u>[REDACTED]</u>		5a. AGE-Last Birthday (Years) <u>95</u>	5b. Under 1 Year Mos. <u> </u> Days <u> </u>	5c. Under 1 Day Hours <u> </u> Mins. <u> </u>
6. BIRTHPLACE (City and State or Foreign Country) <u>Cottonwood, Idaho</u>			7. DATE OF BIRTH (Month, Day, Year) <u>November 29, 1895</u>	
8. WAS DECEDENT EVER IN U.S. ARMED FORCES? ☐ Yes ☒ No				
9a. PLACE OF DEATH (Check only one) ☐ HOSPITAL ☐ Inpatient ☒ Outpatient ☐ DOA ☐ OTHER ☐ Nursing Home ☐ Decedent's Home ☐ Other (Specify) <u> </u>				
9b. FACILITY NAME (If not institution, give street and number) <u>Providence Medical Center</u>			9c. CITY, TOWN, OR LOCATION OF DEATH <u>Portland</u>	
9d. COUNTY OF DEATH <u>Multnomah</u>				
10a. DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired.) <u>School Teacher</u>		10b. KIND OF BUSINESS/INDUSTRY <u>Portland School District</u>		11. MARITAL STATUS - Married, Never Married, Widowed, Divorced (Specify) <u>Widowed</u>
12. SPOUSE (If Married, Widowed) <u>Alexander</u>				
13a. RESIDENCE - STATE <u>Oregon</u>		13b. COUNTY <u>Multnomah</u>		13c. CITY, TOWN OR LOCATION <u>Portland</u>
13d. STREET AND NUMBER <u>2920 NW Monte Vista</u>				
13e. INSIDE CITY LIMITS? ☒ Yes ☐ No		13f. ZIP CODE <u>97201</u>		14. WAS DECEDENT OF HISPANIC ORIGIN? (Specify No or Yes - If yes, specify Cuban, Mexican, Puerto Rican, etc.) ☒ No ☐ Yes Specify: <u> </u>
15. RACE American Indian, Black, White, etc. (Specify) <u>White</u>		16. DECEDENT'S EDUCATION (Specify only highest grade completed) Elementary/Secondary (0-12) <u> </u> College (13-16) <u>4</u>		
17. FATHER - NAME first middle last <u>Perry Powell</u>		18. MOTHER - NAME first middle maiden <u>Clara</u>		19. INFORMANT - NAME and relationship to deceased <u>John Goodyear - Brother</u>
20a. METHOD OF DISPOSITION ☐ Mausoleum ☐ Burial ☐ Cremation ☒ Removal from State ☐ Donation ☐ Other (Specify) <u> </u>		20b. PLACE OF DISPOSITION (Name of cemetery, crematory, or other place) <u>Canyon Hill Cemetery</u>		20c. LOCATION - City or Town, State <u>Caldwell, Idaho</u>
21a. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH <u>[Signature]</u>		21b. LICENSE NUMBER (Of Licensee) <u>3439</u>		22. NAME, ADDRESS AND ZIP OF FACILITY <u>Caldwell's Colonial Chapel 20 NE 14th, Portland, Oregon 97232</u>
23. DATE FILED (Month, Day, Year) <u>JUL 15 1991</u>		24. REGISTRAR'S SIGNATURE <u>[Signature]</u>		
25. DID HOSPITAL REPRESENTATIVE MAKE REQUEST FOR ANATOMICAL GIFT CONSENT? ☐ YES ☐ NO ☒ N/A				
26. WAS GIFT MADE? ☐ YES ☐ NO ☒ N/A				
TO BE COMPLETED BY CERTIFYING PHYSICIAN				
27. TIME OF DEATH <u>1340</u> M		28. WAS MEDICAL EXAMINER NOTIFIED? ☒ Yes ☐ No		
29. To the best of my knowledge, death occurred at the time, date, place and due to the cause(s) and manner stated. (Signature) <u>[Signature]</u>				
30. DATE SIGNED (Month, Day, Year) <u>7/10/91</u>				
31. NAME, TITLE, ADDRESS AND ZIP OF CERTIFIER/MEDICAL EXAMINER (Type or Print) <u>Gordon L. Doty, M.D. 510 N.E. 49th Portland, Oregon 97213</u>				
32. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print) <u> </u>				
TO BE COMPLETED ONLY BY MEDICAL EXAMINER				
31a. TIME OF DEATH M		31b. DATE PRONOUNCED DEAD (Month, Day, Year, Hour) M		
32. On the basis of examination and/or investigation, in my opinion death occurred at the time, date, place and due to the cause(s) and manner stated. (Signature) <u> </u>				
33. DATE SIGNED (Month, Day, Year) COUNTY				
PART I				
36. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c). Do not enter mode of dying, e.g. Cardiac or Respiratory Arrest.) (a) <u>Essential thrombocythemia</u> DUE TO, OR AS A CONSEQUENCE OF:				Interval between onset and death <u>4 years</u>
(b) <u> </u> DUE TO, OR AS A CONSEQUENCE OF:				Interval between onset and death
(c) <u> </u> DUE TO, OR AS A CONSEQUENCE OF:				Interval between onset and death
PART II				
37. OTHER SIGNIFICANT CONDITIONS - Conditions contributing to death but not related to cause given in PART I. <u>None</u>				38. Did tobacco use contribute to the death? ☒ Yes ☐ No ☐ Probably ☐ Unk
39. AUTOPSY ☐ Yes ☒ No				39. If YES were findings considered in determining cause of death? ☐ Yes ☐ No ☐ N/A
40. MANNER OF DEATH ☒ Natural ☐ Pending Investigation ☐ Undetermined Manner ☐ Suicide ☐ Legal Intervention ☐ Homicide		41a. DATE OF INJURY (Month, Day, Year)	41b. TIME OF INJURY M ☐ Yes ☐ No	41c. INJURY AT WORK? ☐ Yes ☐ No
41d. DESCRIBE HOW INJURY OCCURRED		41e. PLACE OF INJURY - At home, farm, street, factory, office, building etc. (Specify)		
41f. LOCATION (Street and Number or Rural Route Number, City or Town, State)				

RESERVED FOR REGISTRAR'S USE

THIS IS A TRUE AND EXACT REPRODUCTION OF THE DOCUMENT OFFICIALLY REGISTERED AT THE OFFICE OF THE MULTNOMAH COUNTY REGISTRAR.

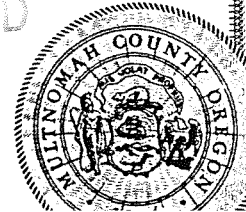
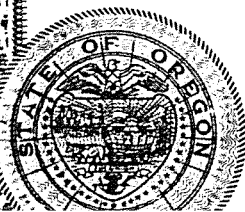
JUL 17 1991

DATE ISSUED

MICROFILMED

SEP 14 1992

ARTHUR W. BLOOM
COUNTY REGISTRAR
MULTNOMAH COUNTY, OREGON



INSTRUMENT NO. 9201845

DEED OF DISTRIBUTION

THIS DEED, Made this 9th day of January, 1992, between JOHN W. GOODYEAR as Foreign Personal Representative of the Estate of CLARA POWELL STEWART, being one and the same person as CLARA H. POWELL STEWART, CLARA P. STEWART, CLARA H. STEWART, and MRS. ALEXANDER D. STEWART, deceased, Party of the First Part; and JOHN W. GOODYEAR, Devisee under the Last Will and Testament of the deceased CLARA POWELL STEWART, residing at 2920 Northwest Monte Vista Terrace, Portland, Oregon 97210, Party of the Second Part.

THAT WHEREAS, JOHN W. GOODYEAR, Party of the First Part, is the appointed, qualified and acting Personal Representative of the Estate of CLARA POWELL STEWART, deceased, whose estate is being probated in the Circuit Court of the State of Oregon, Department of Probate, Multnomah County; and

WHEREAS, JOHN W. GOODYEAR, Party of the First Part, has qualified as Foreign Personal Representative in Canyon County, Idaho, under Section 15-4-204, Idaho Code; and

WHEREAS, The Party of the Second Part is entitled to receive distribution of the property hereinafter described in this Deed under the Last Will and Testament of the deceased and pursuant to the provisions of the Idaho Uniform Probate Code;

NOW, THEREFORE, WITNESSETH, That the said Party of the First Part, for a valuable consideration, and for the purpose of distributing certain real property from the Estate of CLARA POWELL STEWART, deceased, does by these presents hereby distribute, grant,

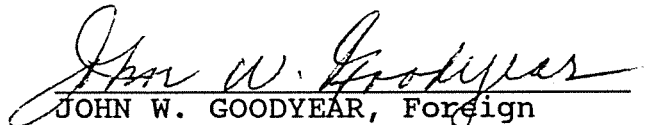
bargain, sell, convey, and confirm unto the said JOHN W. GOODYEAR, the Party of the Second Part, the following described real property located in the County of Canyon, State of Idaho, to wit:

Real property described in Exhibit "A" attached hereto and made a part hereof.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof;

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Party of the Second Part.

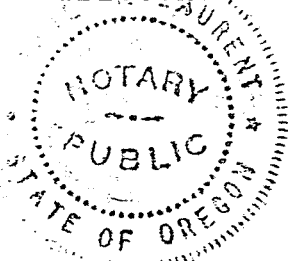
IN WITNESS WHEREOF, The said Party of the First Part has hereunto set his hand and seal the day and year first above written.

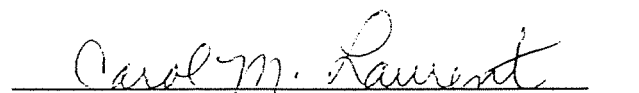

JOHN W. GOODYEAR, Foreign
Personal Representative of the
Estate of CLARA POWELL STEWART,
deceased

STATE OF OREGON)
 : ss.
County of Multnomah)

On this 9th day of January, 199 2, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN W. GOODYEAR, Personal Representative of the Estate of CLARA POWELL STEWART, deceased, and acknowledged to me that he executed the within instrument as said Personal Representative.

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




Notary Public for Oregon
Residing at Gresham, Oregon
My commission expires: 10-27-93

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EXHIBIT "A"

PARCEL I:

ALL Of the Northwest Quarter of the Northeast Quarter of Section 35, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, lying South and West of the right of way of the Boise Valley Traction Company's railroad as now located over and across said premises, in Canyon County, Idaho.

PARCEL II:

THAT Part of the Southeast Quarter of the Southwest Quarter of Section 26, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, described as follows:

BEGINNING At a point which is 25 feet South and 12.5 feet East of the Northwest corner of the aforesaid Southeast Quarter of the Southwest Quarter of Section 26; thence run South on a line parallel with the West boundary line of said Southeast Quarter of the Southwest Quarter 434.37 feet; thence in an Easterly direction on a line drawn at right angles to said West line a distance of 252.42 feet; thence North on a line parallel with the West line of said Southeast Quarter of the Southwest Quarter a distance of 134.67 feet; thence South $34^{\circ} 09' 30''$ East 7.70 feet; thence North to a point which is 25 feet South of the North line of said Southeast Quarter of the Southwest Quarter of Section 26 and is 252.42 feet East of the Point of Beginning; thence West 252.42 feet to the Point of Beginning.

PARCEL III:

BEGINNING At a point described as the Southwest corner of the Northeast Quarter of the Southwest Quarter of Section 26, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, thence East along the line forming the Southern boundary of the Northeast Quarter of the Southwest Quarter of Section 26, 199 feet; thence Northwesterly at an angle of $56^{\circ} 39'$ with the line above described, 358.9 feet to the West line of the Northeast Quarter of the Southwest Quarter of Section 26; thence South 299.8 feet to the Point of Beginning.

PARCEL IV:

ALL Of that portion of the Northeast Quarter of the Southwest Quarter of Section 26, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, described as follows, to wit:

BEGINNING At a point on the Half section line 2,399.3 feet East from the West Quarter corner of said above-mentioned Section 26; thence South to a point in the South line of said above-mentioned Quarter Quarter section; run thence West along said South line to a point therein 199 feet East from the Southwest corner of said above-mentioned Quarter Quarter section; run thence Northwesterly at an angle of 56° 39' with the South line of said above-mentioned Quarter Quarter section 358.9 feet to a point in the West line of said above-mentioned Quarter Quarter section; run thence North along said West line to a point therein 160 feet South from the Northwest corner of above-mentioned Quarter Quarter section; run thence East 125 feet; thence North 160 feet to a point in the North line of above-mentioned Quarter Quarter section 125 feet East from the Northwest corner of said above-mentioned Quarter Quarter section; run thence East along said last-mentioned North line to the Point of Beginning.

THERE Is excepted from above-described property that portion conveyed to City of Caldwell for street purposes known as Chicago Street, said Deed recorded December 4, 1913, as Instrument No. 56636, records of Canyon County, Idaho.

PARCEL V:

COMMENCING At the Northwest corner of Section 35, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, running thence East on section line 1760 feet to a point of intersection of said line with the Southwesterly boundary line of Caldwell-Nampa Boulevard, thence Southeasterly along the Southwesterly side line of Caldwell-Nampa Boulevard 1219.2 feet to the Real Point of Beginning, continuing thence Southeasterly along the Southwesterly side line of Caldwell-Nampa Boulevard 659.6 feet to North side line of Cherry Street, thence Westerly along the North side line of Cherry Street 30 feet; thence Northwesterly parallel to the Southwesterly side line of Caldwell-Nampa Boulevard 618.6 feet to the East side line of Florida Street, thence Northerly along the East side line of Florida Street 28.8 feet to the Point of Beginning;

EXCEPTING THEREFROM A strip of land being all that part of the Northwest Quarter of the Northeast Quarter of Section 35, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, lying northeasterly of a line lying 50 feet distant Southwesterly from and parallel with the following described centerline of highway as surveyed and shown on the official plat of the Caldwell Underpass FAGM 86 B(2) Survey on file in the office of the Department of Public Works of the State of Idaho, to wit:

BEGINNING At Station 254+10 of the said highway survey, which station is a point on curve approximately 985 feet South and 345 feet East from the North Quarter corner of Section 35, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho; thence 425 feet with a 3° 00' curve left, said curve having a central angle of 46° 50' left to Station 258+35, which station is a point on curve approximately 1315 feet South and 612 feet East from the North Quarter corner of Section 35, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

9201845

RECORDED

'92 JAN 28 AM 8 36

NED J. KERR

CANYON COUNTY RECORDER
BY *[Signature]*

ALEXANDERSON-DAVIS-R-W ATT'Y

REQUEST

TYPE *Reel* FEB 15 00

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SEP 14 1992

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: A63-26434
Date Received: 3/26/1990
Receipt No: W011718
Received By: _____

*Rec'd from
SO on 3-26-92*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLARA P STEWART 503-223-2303
Address: 2920 N W MONTE VISTA TERRACE
PORTLAND OR 97210

2. Date of Priority: APR 1, 1885

3. Source: INDIAN CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	36	NE	SW			CANYON

5. Description of diverting works:
DIRECT DIVERSION, CANVAS HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK, 26-50 RANGE CATTLE & HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	26	NE	SW		IRR	6.0
			NE	SW		STOCK	

A63-26434

Page 1

Date: 03/25/92

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	6.0
					Total Acres	6.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

ATTACHED ARE (1) POWER OF ATTORNEY FOR JOHN W. GOODYEAR BY CLARA P. STEWART; (2) MAP FOR LOCATING PROPERTY; (3) NOTICE OF WATER RIGHT LOCATION (1902); (4) AFFIDAVIT OF CLARA POWELL (1907); AND (5) AGREEMENT BETWEEN PIONEER IRR. DIST. AND CLARA GOODYEAR (1940).

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

**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 AG-26434Date Received 3/26/90Receipt Number 201718

RECEIVED
MAR 26 1990

Department of Water Resources
Western Regional Office

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

Please type or print clearly

1. Name of Claimant (s) Clara P. Stewart Phone (503) 223-2303
Mailing Address 2920 N.W. Monte Vista Terrace Zip 97210
Portland, Oregon

2. Date of Priority (Only one (1) per claim) April 1, 1885

3. Source of water supply (a) Indian Creek
which is tributary to (b) Boise River

4. a. Location of existing point of diversion is: Township 4 N Range 3 W Section 36,
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Canyon

Additional points of diversion if any: T 4N, R 3W, Sec. 26, NE 1/4 of SW, S of Railroad.

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Direct diversion, canvas headgate

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .12 or _____

For Stockwater purposes from 1/1 to 12/31 amount .03 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .15 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater; 26-50 cattle and horses

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	3W	26									6								6
		26									S								

Total number of acres irrigated 6

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

Attached are (1) power of attorney for John W. Goodyear by Clara P. Stewart; (2) map for locating property; (3) notice of water right location (1902); (4) affidavit of Clara Powell (1907); and (5) agreement between Pioneer Irrigation District and Clara Goodyear (1940).

Last Name STEWART Ident No. 463-26434

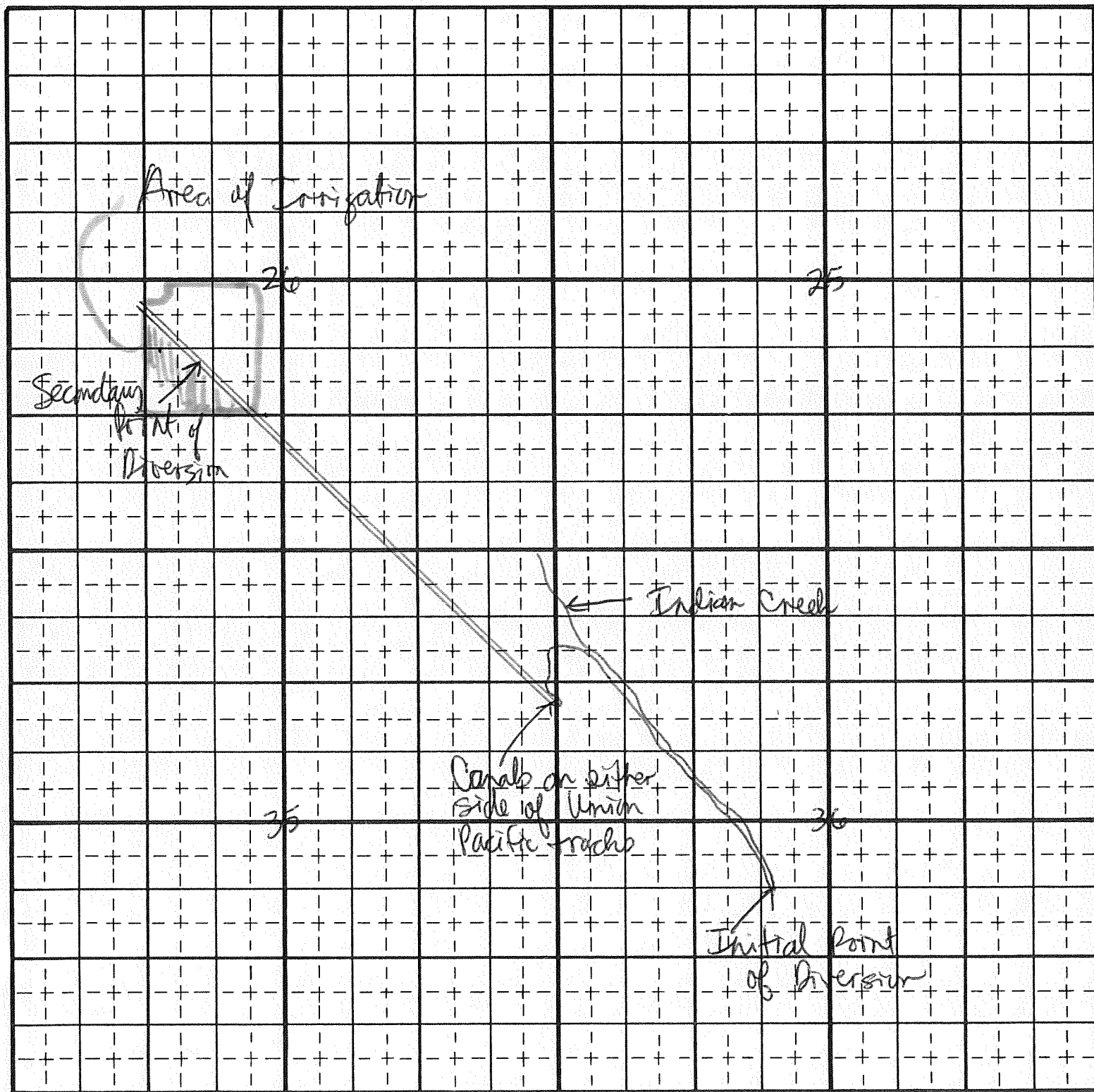
MICROFILMED

Copies: White State, Yellow-Claimant
SEP 14 1992

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T 4 N R 3 W



Last Name STEWART

Ident No. A63-26434

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Copies: White-State, Yellow-Claimant
SEP 14 1992

15. Basis of Claim (check one) Beneficial Use X see notice of water right location
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 5

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Clara P. Stewart Date March 21, 1990
by John W. Goodyear, attorney-in-fact Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of ~~Idaho~~ Oregon)
County of Multnomah) SS.

Subscribed and sworn (or affirmed) before me this 21st day of March 19 90

SEAL

Notary Public Patricia Engel

Residing at Multnomah Co., Oregon

My Commission Expires 7-24-90

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name STEWART

Ident. Number A63-26434

MICROFILMED
SEP 14 1992
Copies White State, Yellow Claimant

TK

KNOW ALL MEN BY THESE PRESENTS, That I, CLARA P. STEWARThave made, constituted and appointed, and by these presents do hereby make, constitute and appoint
JOHN W. GOODYEAR

my true and lawful attorney for me and in my name, place and stead, and for my use and benefit to demand, sue for, recover, collect and receive all such sums of money, debts, rents, dues, accounts, legacies, bequests, interests, dividends, annuities and demands whatsoever, as are now or shall hereafter become due, owing, payable or belonging to me, to have, use and take all lawful ways and means in my name or otherwise for the recovery thereof, and to compromise, settle and adjust and to execute and deliver acquittances or other sufficient discharges for any of the same; to bargain, contract for, purchase, receive and take lands, tenements, hereditaments, and accept the seizin and possession thereof and all deeds and other assurances in the law therefor and to lease, let, demise, bargain, sell, renuse, release, convey, mortgage and hypothecate lands, tenements and hereditaments, including my right of homestead in any of the same for such price, upon such terms and conditions and with such covenants as my said attorney shall think fit; to sell, transfer and deliver all or any shares of stock owned by me in any corporation for any price and receive payment therefor and to vote any such stock as my proxy; to bargain for, buy, sell, mortgage, hypothecate and in any and every way and manner deal in and with goods, wares and merchandise, choses in action, and other property in possession or in action, and to make, do and transact all and every kind of business of whatsoever nature or kind; for me and in my name and as my act and deed, to sign, seal, execute, acknowledge and deliver all deeds, covenants, indentures, agreements, mortgages, pledges, hypothecations, bills of lading, bills, bonds, notes, evidences of debt, receipts, releases and satisfactions of mortgages, judgments and other debts payable to me and other instruments in writing of whatever kind and nature which my said attorney in his discretion shall deem to be for my best interests; to have access to any safety deposit box which has been rented in my name, or in the name of myself and any other person or persons; to sell, discount, endorse, deliver and/or deposit all checks, drafts, notes and negotiable instruments payable to my order, to withdraw any moneys deposited in my name with any bank and generally to do any business with any bank or banker on my behalf; also

GIVING AND GRANTING unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney or my said attorney's substitute or substitutes shall lawfully do or cause to be done by virtue of these presents.

In construing this instrument and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on 2 April, 1987

Clara P. Stewart

STATE OF OREGON, County of Multnomah) ss. 2 April, 1987
Personally appeared the within named CLARA P. STEWART

and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

Clarence Steven Allen

Notary Public for Oregon.

My Commission expires

May 12, 1989

(SEAL)

Power of Attorney

CLARA P. STEWART

TO

JOHN W. GOODYEAR

AFTER RECORDING RETURN TO

John W. Goodyear
2920 N.W. Monte Vista Ter.
Portland, Oregon 97210

ss.

STATE OF OREGON
Multnomah County

I, a Deputy for the Recorder of Conveyances, in and for said County, do hereby certify that the within instrument of writing was received for record and recorded in the record of said County

1987 APR -3 PM 4:55

RECORDING SECTION
MULTNOMAH CO. OREGON

In Book

BOOK 1992 PAGE 2657

witness my hand and seal of office affixed.

Recorder of Conveyances

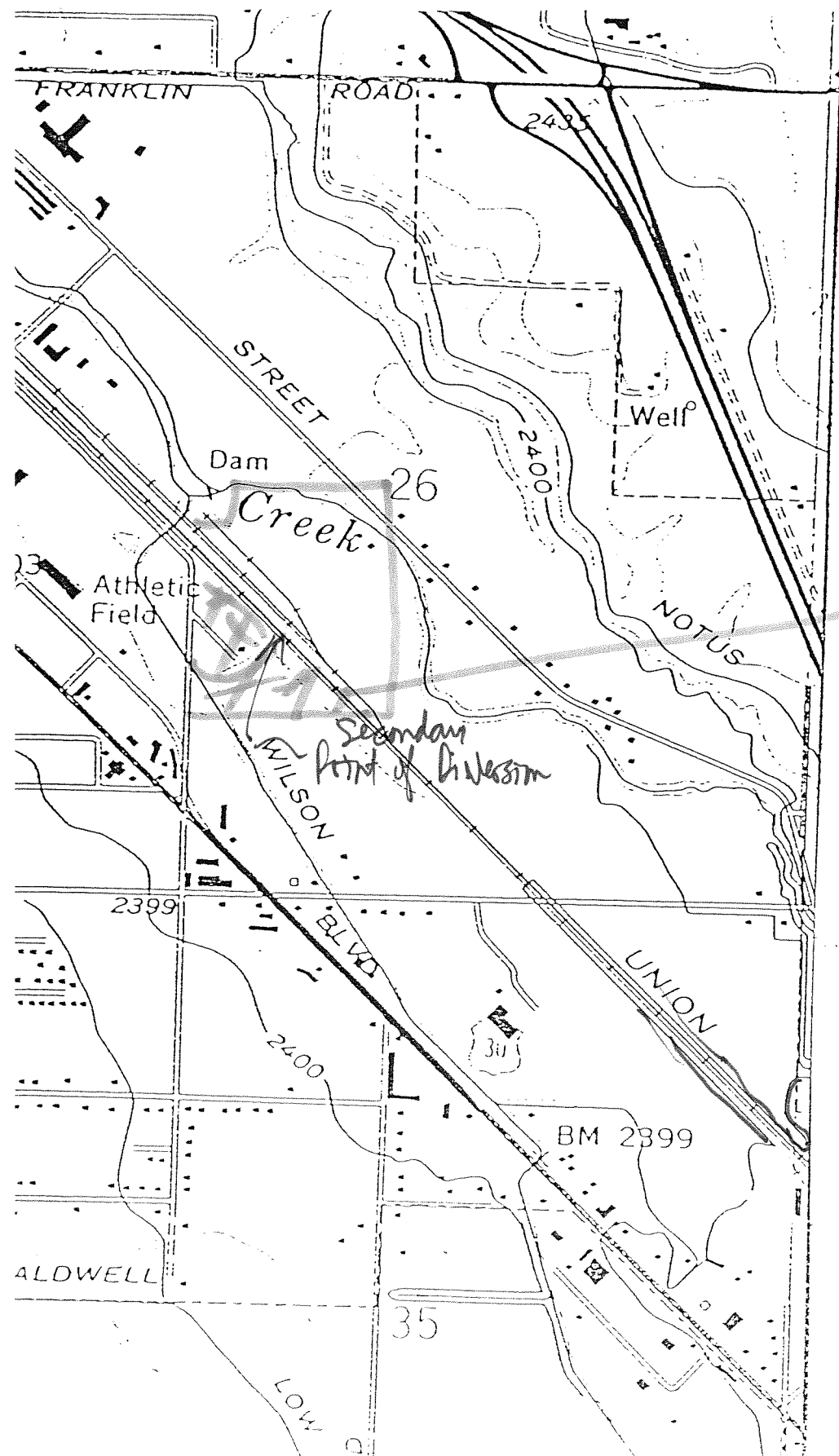
Deputy

M. Walden

SEP 14 1992

y

027297



Area Irrigated
(app.)

Initial Point
of Diversion
(not on this map)

MICROFILMED

SEP 14 1992

NOTICE OF WATER RIGHT LOCATION.

To Whom it May Concern:

Notice is hereby Given, That

I, John R. Ramells

of Canyon County of Idaho State of Idaho have
 this 10 day of May 1892 appropriated
 and hereby claim the use of the waters of Indian Creek

to the extent of five (5) cubic feet per second
 in addition to the 2 1/2 inches appropriated by F. L. Olmstead
 flowing at the point of intended diversion which said point of intended
 diversion is particularly described as follows, to wit: (1)

at the north end of Railroad Cut about one
mile southeast of north west corner of
Sec. 36 T. 3 N. R. 4 W. B.M. in Canyon
County Idaho

That the special purpose or purposes for which said water is claimed
for domestic & irrigation purposes

The place of its intended use is upon Sec. 4 NE 4, NW 4
SE 4, SE 4 NW 4, NE 4 SW 4 and S 2 of SE 4
Sec. 26 and N 2 of NE 4 Sec. 35 T. 3 N. R. 4 W.
B.M. in Canyon County Idaho

That the general course of the proposed canal or conduit is north west

The length of said proposed canal or conduit is about
two & one half miles
 (2)

That it is intended to complete the works for the diversion and use of
 said water as aforesaid within (3) in now complete

A copy of this notice was duly posted at or near the point of intended
 diversion on the 10 day of May 1892

Witness my hand at Caldwell,
 County of Canyon, State of Idaho,
 this 10 day of May 1892

John R. Ramells

Appropriator.....and

Claimant...

(1). Give legal subdivision when known, if not known describe with reference to some prominent landmark.

(2). If appropriation is for irrigating purposes, give a general description of the land proposed to be irrigated by such canal or conduit.

(3). The time necessary for completion of the work shall in no case exceed five years.

NOTE--A copy of this Notice must within 15 days after posting, be filed for record in the office of the Recorder of the County in which it is posted and a duplicate copy in the office of the State Engineer in Boise City. (Said copies may be filed by mail).

MICROFILMED

SEP 14 1992

State of Idaho,
County of Canyon ss.

John R. Rasmells
being first duly sworn, depose and say that he is of
lawful age and the appropriator and
claimant of the Water Right described in the within and foregoing notice and
whose name subscribed thereto. That the statements in said notice
are true, and that the original notice, of which the foregoing is a true copy, was
posted in a conspicuous place at or near the point of intended diversion
at A.M., the 19 day of May 1902.

John R. Rasmells
Subscribed and sworn to before me, this 19 day of May 1902.
Notary Public

NOTE--(Where there are several claimants the above copy shall be made and sworn to by one of them.)

NOTICE OF WATER RIGHT LOCATION.

County

STATE OF IDAHO.

Name of Stream

John R. Rasmells
Claimant

Dated May 1902

County of Canyon ss.

I hereby certify that this instrument was filed
for record at the request of

John R. Rasmells
at 10:40 A.M., this 19 day of May 1902, in my

office, and duly recorded in Book 1 of
Water Rights at page 476.

Edgar M. Reed
Ex-officio Recorder

By Edgar M. Reed Deputy
Fees, \$1

MICROFILMED

State of Idaho)
) ss

County of Canyon)

Clara Powell, being duly sworn, deposes and says that she is administratrix of Perry N. Powell deceased, who purchased of John R. Rannells his right, title, interest and claim in and to the water location made May 10, 1902, by the said John R. Rannells, and recorded in Canyon County, State of Idaho, on the 12th day of May, 1902, in Book 1 of Water Rights at page 476: said purchase being evidenced by a warranty deed dated October 24, 1902, and recorded as instrument No. 1793, December 7, 1903, in book of Deeds No. 29 page 508:

Said notice of water right location says that the said John R. Rannells appropriated and thereby claims- "the use of the waters of Indian Creek to the extent of five (5) cubic feet per second in addition to the 200 inches appropriated by F. L. Omstead flowing at the point of intended diversion which said point of diversion is particularly described as follows, to wit: (1) At the north end of Rail Road cut about one mile southeast of north west corner of Sec. 36 Tp. 3 N R 4 W B M in Canyon County Idaho":

"That the special purpose or purposes for which said water is claimed for domestic and irrigation purposes"

Also that - "The place of its intended use is upon SW 1/4 NE 1/4, NW 1/4 SE 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4 and S 1/2 of SE 1/4 Sec. 26 and N 1/2 of NE 1/4 of Sec 35 Tp. 3 N R 4 W B M in Canyon County Idaho"

"That the general course of the proposed canal or conduit is northwest",

"The length of said proposed canal or conduit is about two and a half miles"

"That it is intended to complete the works for the diversion and use of the said water as aforesaid within (3) is now completed":

3907/mw?

Affiant declares that the said locator of said water right made an error in the description of the tract to which the said "water right" was to be applied, also the description of the point of diversion of said water from the "Indian Creek", and that the description in each case aforesaid should have read, Township 4 north, Range 3 west of Boise Meridian instead of Township 3 north of Range 4 west of Boise Meridian as given in said location.

That it is impossible that said locator could have intended to water the land as described in said location, but that he intended to locate said point of diversion and water to be used on the land described as above except that it is located in Township 4 north, Range 3 west of Boise Meridian.

For the reason:-

First, that the land in the township described by said location is situated near the east bank of the Snake River and is situated about ten or twelve miles from the point of actual diversion, and;

Second, that said locator had no right, title, interest or claim to any lands so described, or to lands near the lands so described upon which he could have used said water "for domestic and irrigating purposes."

Third, that there was no "Indian Creek" or any other creek at the point of diversion actually described in said location notice.

Fourth, that there is no railroad or railroad cut nor was there upon the date of said location of said water at or near the land actually described in said location.

Fifth, that said appropriation of "five cubic feet per second" as represented in said notice as "in addition to" and homologous with "the 200 inches appropriated by F.M.Olmstead" and whereas "the 200 inches appropriated by F.M.Olmstead" was used upon the SW 1/4 NE 1/4, NW 1/4 NE 1/4, SE 1/4 NW 1/4 and NE 1/4 SW 1/4 of Sec. 26, Township 4 north, Range 3 west of Boise Meridian, therefore the description of lands and locations by the said locator must have been homologous, near, adjoining, contiguous, or in the vicinity of the said "appropriation by F.M.Olmstead,"

Sixth, that by interchanging the township and range numbers given in said notice ~~with~~ ^{we have} the description of the actual point

of diversion of said water from said "Indian Creek" as given and also the actual description and location of the land actually entered and claimed by said locator upon which he filed his intention to use said water for the reclamation of same as desert lands;

Affiant further declares that she knows of her own knowledge that it was the intention of the said John R. Rannells to locate said water, point of diversion, and description of the land upon which same was to be used in the said Township 4 north of Range 3 west of Boise Meridian instead of Township 3 north of Range 4 west of Boise Meridian.

Clara. Powell (Seal)
Administratrix

Subscribed and sworn to before me this 15th day of March

Walter R. Ruff (Seal)
U. S. Commissioner.

State of Idaho)
County of Canyon) ss

I David P. Dodd of Caldwell Idaho being duly sworn depose and say that I have read the within affidavit of Clara Powell and know of my own knowledge that the statements therein made are true, and that he makes this affidavit at the request of Clara Powell and that he is not interested in any way or manner directly or indirectly, present or prospective, in the title in support of which this affidavit is made.

David P. Dodd

Subscribed and sworn to before me this 18 day of March 1907.

Walter R. Ruff

U. S. Commissioner.

State of Idaho)
County of Canyon) ss

I Samuel M. Vassar of Caldwell Idaho being duly sworn depose and say that I have read the within affidavit of Clara Powell and know of my own knowledge that the statements therein made are true, and that he makes this affidavit at the request of Clara Powell and that he is not interested in any way or manner directly or indirectly, present or prespective, in the title in support of which this affidavit is made.

Samuel M. Vassar

Sworn and subscribed to before me this 18 day of March 1907.

Walter R. Ruff

✓ Affidavit.

Chas Powell.

✓

quest of M. R. Gupke

at 50 minutes past 2

o'clock P.M., this 29th

of March 1907 in the

office and duly recorded in books

2 Misc. Page 331

O. H. Badley

Ex-officio Recorder.

By Ellen V. Hornum

Deputy.

Fees \$ 2.20

Mrs. Goodyear

AGREEMENT

THIS AGREEMENT, Made this _____ day of July, 1940, between PIONEER IRRIGATION DISTRICT, of Canyon County, Idaho, as first party, and CLARA GOODYEAR, of Caldwell, Idaho, as second party,

WITNESSETH, That WHEREAS second party is the owner of a part of

Northeast Quarter of Southwest Quarter of Section Twenty-six (26) in Township Four (4) North of Range Three (3) West of the Boise Meridian in Canyon County, Idaho,

for twenty-nine acres of which she has a water right by means of water diverted from Indian Creek by means of a dam located east of Union Pacific Railroad right-of-way in Northeast Quarter of Southwest Quarter of Section Thirty-six (36) in said Township and Range, which water was and is conveyed to second party's said land by means of a ditch running from said dam in a north-westerly direction through said Northeast Quarter of Southwest Quarter and crossing through Southeast Quarter of Northwest Quarter and Southwest Quarter of Northwest Quarter of said Section 36 to a point on or near the south line of Northwest Quarter of Northwest Quarter (during all of said distance said ditch follows along the west side of Indian Creek); running thence west on or near said south line of said Northwest Quarter of Northwest Quarter to a point just north of the southwest corner thereof; running thence north on or along said west line of Northwest Quarter of Northwest Quarter to a point about one hundred and fifty feet south of the Northwest Quarter corner of said Northwest

Quarter of Northwest Quarter; running thence west about one hundred and fifty feet; thence north about one hundred fifty feet to the north line of Northeast Quarter of Northeast Quarter of Section 35 in said Township and Range; running thence west along said north line about five or six hundred feet to the point where said ditch turns north into Southeast Quarter of Southeast Quarter of Section 26 of said Township and Range, said point being the end of the portion of said ditch which is owned and operated by said District, and

WHEREAS, About twenty years ago said second party made an agreement with said first party under which first party was given the right to the use of said ditch above described for the purpose of conveying to certain lands in said district a part of the water right then owned by second party and also such other water as had been or might be acquired by said district, under which agreement and as a consideration therefor to second party the first party agreed to transport to second party, without expense to her, through said ditch to said point on the south line of said Southeast Quarter of Southeast Quarter of Section 26 (where said District's ditch ends) the water to which second party may be entitled for the irrigation of her said twenty-nine acres in said Northeast Quarter of Southwest Quarter of Section 26, it being understood that second party has a sufficient water right for her said twenty-nine acres.

NOW THEREFORE, In consideration of the mutual agreements of the parties hereto and for the purpose of preserving in writing the said agreement between the parties hereto, hereinbefore set out,

the parties hereto hereby agree to carry out and perform said agreement in all respects according to the terms and conditions hereinbefore set forth in all respects to the same effect as though said agreement had been entered into in writing at the time it was actually made; that the agreement and arrangement covered by this agreement shall be a permanent, and not merely a temporary agreement and arrangement, but in case said first party shall at any time abandon the use of said ditch then all rights of said second party shall be and remain the same as though this agreement had not been made; and that second party shall not be liable for any damage or liability which may accrue from, or by reason of, first party's operation of its section of said ditch, unless such damage be caused by the act of second party, her successors, assigns, agents or employees.

IN WITNESS WHEREOF, Said first party has caused these presents to be executed by its President and Secretary, and second party has hereunto set her hand and seal, the day and year in this agreement first above written.

PIONEER IRRIGATION DISTRICT

By J. A. Baum
Its President

ATTEST:

Irish L. Evans

Secretary.

Clara Goodyear
CLARA GOODYEAR
Second Party.

(SEAL)

Inl - Direct	014	259943
Inl - Reverse	014	
BS & P. D	014	
BS	014	
Assigned	014	
Revised	014	

Donner Livingston
Director

Chas Goodyear

Agreement

STATE OF IDAHO)
County of Canyon } ss.

I hereby certify that this instrument was filed for record at the request of

Mrs. Clara Goodyear

Agreed to, 1/14/11

at *11* minutes past *1* o'clock *P* M

in my office, and duly recorded in book

15 of *844*

at page *165*

Clara Goodyear
Ex Officio Recorder

By *10*
Fee \$ *1.00*

Box 524, Wallace

ADJUDICATION CLAIM REVIEW CHECKLIST

4-3-91
CLAIMANT'S NAME Hewart, Clara P. CLAIM IDENT. NO. AG3-26434

DATE RECEIVED 3-26-90 RECEIPT # W011718 AMOUNT \$ 207.00

1. Is the name and address complete with zip code? . . . 5 claims YES ☒ NO ☐ Required Info? *

2. Is a priority date entered? . . . ☒ YES ☐ NO ☐ *

Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ *

3. (a) Is a source entered? . . . ☒ YES ☐ NO ☐ *

(b) Is a tributary to entered? (if required) . . . N/A ☒ YES ☐ NO ☐ *

4. Is the legal description of the p.d. sufficient? . . . ☒ YES ☐ NO ☐ *

5. Is there a description of the diverting works? . . . ☒ YES ☐ NO ☐ *

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form . . . ☒ YES ☐ NO ☐ *

Is the period of use included? . . . ☒ YES ☐ NO ☐ *

Is a quantity claimed for each use? . . . ☒ YES ☐ NO ☐ *

7. Is a total quantity claimed entered? . . . ☒ YES ☐ NO ☐ *

8. If required is a consumptive use entered? . . . N/A ☒ YES ☐ NO ☐ ?

Is the consumptive use correct? . . . N/A ☒ YES ☐ NO ☐ ?

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4 . . . N/A ☒ YES ☐ NO ☐ *

10. Is (are) the place(s) of use and purpose(s) indicated? . . . ☒ YES ☐ NO ☐ *

11. Is (are) the county(ies) entered? . . . ☒ YES ☐ NO ☐ *

12. Is the ownership of p.u. checked? . . . ☒ YES ☐ NO ☐ *

13. Are other water rights listed or "none" indicated?
(See Item No.'s 16 & 17 for checking other water rights) ☒ YES ☐ NO ☐ *

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) . . . N/A ☒ YES ☐ NO ☐ *

15. Is the basis of the claim indicated? . . . ☒ YES ☐ NO ☐ *

16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? . . . N/A ☒ YES ☐ NO ☐ *

(Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim)

17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? . . . N/A ☒ YES ☐ NO ☐ ?

(If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.

18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) . . . N/A ☒ YES ☐ NO ☐ *

19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. . . . P&A ☒ YES ☐ NO ☐ *

20. Has the claim been signed, sealed, and dated by a notary? . . . ☒ YES ☐ NO ☐ *

21. Was this claim filed on time, or was an extension granted? . . . ☒ YES ☐ NO ☐ *

22. Is the fee enclosed correct? . . . Exempt ☒ YES ☐ NO ☐ *

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MICROFILMED SEP 14 1992

13. Should this claim be data entered?

YES

NO

Claim reviewed by: sf

Date

3-13-92

Claim data entered by: J. Schultz

Date

3/25/92

Claim is being returned to claimant:

___(Yes) ✓(No)

Claimant is being notified of modifications:

___(Yes) ✓(No)

Comments:

08/15/2006

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

RIGHT NUMBER: 63-26434

NAME AND ADDRESS: JOHN W GOODYEAR
2920 NW MONTE VISTA TERR
PORTLAND OR 97210

SOURCE: INDIAN CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.120 CFS
27.000 AFY

PRIORITY DATE: 03/01/1940

POINT OF DIVERSION:

T04N R03W S36 NESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.120 CFS
27.00 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T04N R03W S26 NESW 6.00

6 ACRES TOTAL

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

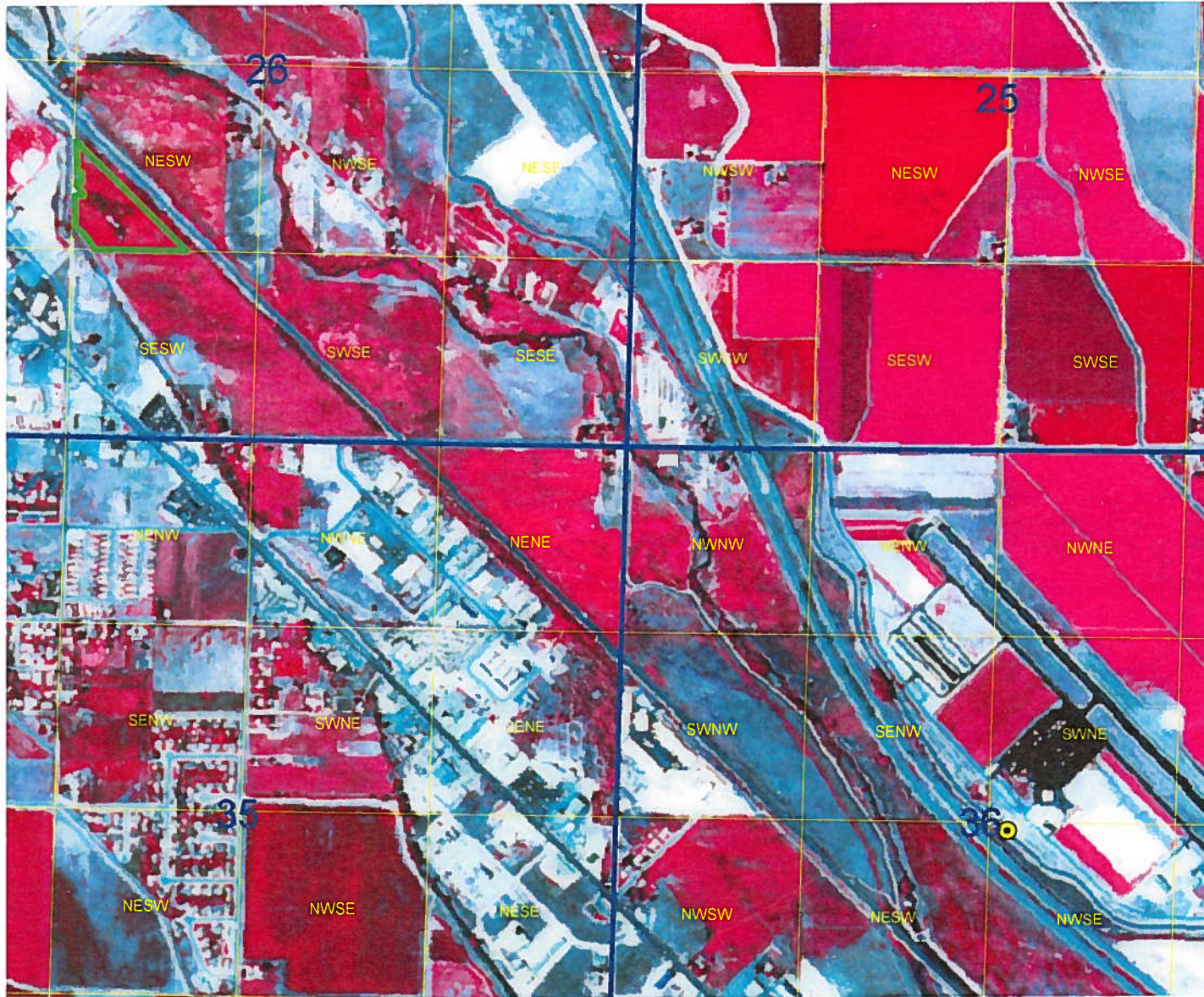
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

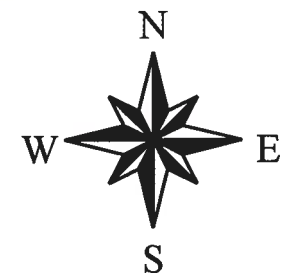
**T04N, R03W,
SEC 26 & 36**

**Claim No: 63-26434
Prepared By: Kimberly Brown
Date: August 15, 2006**



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

Irrigated Acres = 6



0 0.07 Miles



1987 NAPP

Oct. 12, 2006

To whom it may concern,

Dear Sirs,

In reply to your communication dated 10/6/06 re: Water User of Basin 63 Part 3, please note that John P. Hoodigan died 8/11/99, and that the property was sold in its entirety. The closing date of sale was Oct. 1, 1999.

Sincerely yours,
Mrs. John W. Hoodigan
3920 N.W. Monte Vista Ter.
Portland, OR 97210
Tel. 503-223-2303

RECEIVED

OCT 19 2006

WATER RESOURCES
WESTERN REGION

63-26434

63-26435

09/29/2006

**NOTICE OF ERROR
REPLY**

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: October 31, 2006

Water right number: 63-26435

JOHN W GOODYEAR
2920 NW MONTE VISTA TERR
PORTLAND OR 97210
Telephone Number: (503)223-2303

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:

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: _____ SIGNATURE: _____

Please print your name: _____

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

09/29/2006

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

RIGHT NUMBER: 63-26435

NAME AND ADDRESS: JOHN W GOODYEAR
2920 NW MONTE VISTA TERR
PORTLAND OR 97210

SOURCE: INDIAN CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.360 CFS
81.00 AFY

PRIORITY DATE: 03/01/1940

POINT OF DIVERSION:
T04N R03W S36 NESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.360 CFS 81.00 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T04N R03W S26 NESW 18.00
18 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
Property is also known as Creekside Subdivision.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-26434

WATER RIGHT NUMBER: 63-26434

Owner Type Name and Address
 Original Owner CLARA P STEWART
 2920 NW MONTE VISTA TERR
 PORTLAND, OR 97210
 (503)223-2303
 Current Owner JOHN W GOODYEAR ✓
 2920 NW MONTE VISTA TERR
 PORTLAND, OR 97210
 (503)223-2303

Priority Date: ~~04/01/1885~~ ✓ 03/01/1940
 Basis: Beneficial Use ✓
 Status: Active

Source Tributary
 INDIAN CREEK ✓ BOISE RIVER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION ✓ 3/15 to 11/15 ✓ 0.120 CFS ✓ 27.0 AF
 STOCKWATER ✓ *change to 3/01* 1/01 to 12/31 ✓ 0.030 CFS ✓

Total Diversion: ~~0.150 CFS~~ ✓ 27.0 AF
 0.12

Location of Point(s) of Diversion

INDIAN CREEK NE1/4SW1/4 ✓ Sec. 36, Twp 04N, Rge 03W, B.M. ✓
 CANYON County ✓

Place of Use

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	03W	26																	6.0

Total Acres: 6

~~STOCKWATER~~ ✓

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	03W	26																	X

Current Owners:

Canyon County
 1115 Albany St.
 Caldwell 83605

Flaine St.
 Caldwell

City of Caldwell
 P.O. Box 1177
 Caldwell 83606

Griffiths
 Caldwell Park

REMOVE

REMOVE

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-26434

Conditions of Approval:

1. ATTACHED ARE (1) POWER OF ATTORNEY FOR JOHN W. GOODYEAR BY CLARA P. STEWART; (2) MAP FOR LOCATING PROPERTY; (3) NOTICE OF WATER RIGHT LOCATION (1902); (4) AFFIDAVIT OF CLARA POWELL (1907); AND (5) AGREEMENT BETWEEN PIONEER IRR. DIST. AND CLARA GOODYEAR (1940).
CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 4/17/92.

Remarks:

Comments:

Water Supply Bank:

(in-office review)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$ 56.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-26434Owner: John W. Goodyear Phone No. _____Current Address: 2920 NW Monte Vista Terrace, Portland OR

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Canyon Co. / City of Caldwell 97210
- ☐ No change Address
- ☒ NEW ADDRESS 1115 Albany St. / P.O. Box 1177
- ☐ How long owned property? Caldwell Caldwell

Accompanied by: (in-office verification) 83605 83606**PRIORITY DATE**

- ☐ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 04/01/1885

(If priority date, based on your exam, seems questionable, explain below.)

* Mrs. John W. Goodyear returned the original letter requesting evidence with "deceased Aug. 1999" written next to Mr. Goodyear's name

The Notice of Water Right location document, dated 1902, applies to 03N, R04W and, therefore, is not applicable. However, the Agreement between Pioneer Irr. District and Clara Goodyear, dated 1940, applies to the

Source: _____ Tributary to _____ NE SW,

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

T04N,
R03W and
is, therefore,
applicable to
this right.

POINT OF DIVERSION

- ☒ No change (COVER) →
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

P.D. Recommendation –
03/01/1940
1
beginning of irrigation season

First of all, this claim was filed in 1990. Even though the Field Report states that the POB is located in the NESW, Sec. 26; the Agreement with Pioneer Irr. District states the POB is located in Sec. 36. After speaking with my supervisor, Jan Shulte, regarding this matter, she feels that the correct POB is in

DIVERSION AND DELIVERY SYSTEM
Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Section 36
(based on
the

Agreement).

Description of diverting works

See Field Report.

A Transfer
will need to be
filed to

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-26435

change the
POB to its

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

share same POB

current
location
in the S26.

WATER USES

☐ No change

☐ Different Uses

Use Irrigation From 3/01 To _____ Amount _____ CFS 27.0 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

0.0 acres x 4.5 af/acre = 27.0 af/annum (V) 0.12 cfs x 1.9835 x 260 days = 61.9 af/annum

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount _____ CFS 27.0 AFA

☒ Changes found, the new total is, Amount 0.12 CFS _____ AFA

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☐ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

Remove Stockwater use - based on field
examiner

Sandy

Hemenway

recommendation

(see Field Report).

PLACE OF USE:

☐ No Change

☒ Changes shown below:

Remove Stockwater POB.

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: 63-26435

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

no overlap - separate POU

Delivery System Narrative: See Field Report.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

AFTER EXAM THE FILE SHOULD CONTAIN:

- > Field Exam - 7/27/06 # 8/08/06

FIELD EXAMINER: Kimberly Brown



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 30, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

City of Caldwell Engineering Dept.
621 Cleveland Blvd
Caldwell, ID 83606

RE: Notice of Change of Water Right Ownership 63-26434
Dear Claimants:

Enclosed is a copy of a Notice of Change of Water Right Ownership form that was submitted to our office. However, we cannot continue to process the ownership change without sufficient **proof of ownership**. This proof needs to be a copy of a **Warranty Deed** indicating your ownership of the property with an attached legal description.

Please submit a copy of the warranty deed, and we will be able to complete the ownership change. If we do not hear from you by September 8th 2006, the claim upon which this form was filed (if one exists), will remain in the original owner's name.

Thank you for your patience and cooperation, as we have had several ownership changes to process. Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Liberty Gagnon'.

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region
(208) 334-2190

LG: lg

Enclosures

No info
received as of 9/27
claim being
left as is
-JG

RECEIVED
AUG 29 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNER
WESTERN REGION

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 (under the "split" heading), 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
	63-76434				

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) is 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)

John W. Goodyear
2930 NW Monte Vista Terr. Portland, OR 97210

4. New Owner/Claimant(s)

City of Caldwell Engineering Dept

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

621 Cleveland Blvd PO Box 1177

City, State and ZIP Code

Caldwell, Id 83606

New Telephone Number

(208) 455-4783 / 455-3006

5. Date you acquired the property

2002

+ Canyon County
1115 Albany St
Caldwell, Id 83606

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) Vincent Howell
(include title if applicable) _____

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

REAL PROPERTY INQUIRY

```

+++++
01 7R35333-000- -0 001-00 SCH132+ 01 17,700 23.00
+++++
22 18,000 1.00
+++++
GOODYEAR, JOHN W
+
+
+
+
+
6920 NW MONTE VISTA TER
+
PORTLAND OR 97210
+
+++++
26-4N-3W SW + TOTAL 35,700 24.00
TX 8 IN NESW LESS TX 8-A &
LESS R/R + SURVEY INST 9201845
+ DRAIN DR VALUE APPR JRC
+ CLASS REAP 95 MAN UNIT 0
+ PARCEL 7RC00000264915 H/O N C/B N
+ PRIOR ACCOUNT 6R35333-000- -0
+ 02 MH on Property NO

```

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R35333000 0 UNIT 001 TOTAL UNITS

```

SITE E CHICAGO ST CA SEC/TWN/RNG 26-4N-3W
ASSESSED VALUE 0 ACREAGE 14.31
SUB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
+++++
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

```

```

+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

```

MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

```

01 ACCOUNT: 6R35333-000- -0 AREA 001-12 DRAIN VALUE CLASS H/O N
SEC 26 TWN 4N RNG 3W QTR SW CITY/SUB C BLK LOT 4914
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
CITY OF CALDWELL ELORDI, ANTHONY V
& ELORDI, TERESA A H/W
& RINEARSON, TERRY

```

MAILING ADDRESS

```

PO BOX 1177
CALDWELL ID 83606
SITE ADDRESS
E CHICAGO ST CA
COMMENTS

```

LEGALS

```

26-4N-3W SW
TX 92,02690 & N 25' OF W 264.92'
OF TX 13 NE OF WILSON CR DR SESW
& TX 8 NESW ALL SW OF GRIFFITHS
PARK DR

```

REMARKS

```

PRIOR ACCOUNT 5R35333000 0
PARCEL C00000264914 SRVY
INSTR 9726242 ACRES 14.31
SPLIT YR 1998 DOCUMENT DD

```

```

SP2.9 TO R353366(200302223)NEEDS TO
LS OT TX 11A(SP4.59AC TO RD(20025-
2844)R35339010-COMBINED WITH THIS
(200253383)
SP8.23AC & 7.40AC TO 35333-11 & 12

```

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-26434

03/24/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2114	Claim	04N	03W	26	NE	SW		IRRIGATION	35/1000	PIONEER IRRIGATION DISTRICT
21481	Claim	04N	03W	26	NE	SW		IRRIGATION	2/2	ERNEST L WILSON
~~26434~~	~~Claim~~	~~04N~~	~~03W~~	~~26~~	~~NE~~	~~SW~~		~~IRRIGATION~~	~~6/6~~	~~JOHN W GOODYEAR~~
26435	Claim	04N	03W	26	NE	SW		IRRIGATION	20/20	JOHN W GOODYEAR
2114	Water Right	04N	03W	26	NE	SW		IRRIGATION	35/1000	PIONEER IRRIGATION DISTRICT
~~26434~~	~~Claim~~	~~04N~~	~~03W~~	~~26~~	~~NE~~	~~SW~~		~~STOCKWATER~~		~~JOHN W GOODYEAR~~
26435	Claim	04N	03W	26	NE	SW		STOCKWATER		JOHN W GOODYEAR
20198	Water Right	04N	03W	26	NE	SW		STOCKWATER		AVONA RUSSI
26436	Water Right	04N	03W	26	NE	SW		STOCKWATER		CITY OF CALDWELL
20198	Water Right	04N	03W	26	NE	SW		DOMESTIC		AVONA RUSSI
21483	Water Right	04N	03W	26	NE	SW		DOMESTIC		ERNEST L WILSON
26438	Water Right	04N	03W	26	NE	SW		DOMESTIC		CITY OF CALDWELL

- no supplemental surface
water used, according to
field exam

- no overlap w/ #63-26435 -
separate POU's

Receipt Details for ID W011718

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/26/1990 1:36:18 PM	3/26/1990	Western	\$207.00	Check
Payer		MILLER, NASH, WIENER		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
108347			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$207.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

*Amounts paid
incorrectly applied
to each claim*

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	26434		\$25.00	Claim
63	26435		\$25.00	Claim
63	26436		\$25.00	Claim
63	26437		\$59.00	Claim
63	26438		\$73.00	Claim

*should be \$56.00
should be \$70.00
Stockwater - \$25.00
D&S - \$25.00
D&S - \$25.00*

*Pd. \$207.00
(overpaid)*

(V)

\$201.00

Print Report

7/27/2006
Field Exam Date 8/8/2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

RECEIVED
AUG 14 2006
WATER RESOURCES
WESTERN REGION

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63 - 26434

Owner: John W. Goodyear Phone No. (503) 223-2303

Current Address: 2920 NW Monte Vista Terr., Portland, OR 97210

☐ No change NAME IS THE SAME

☒ NEW OWNER Canyon County 1115 Albany St., Caldwell, Id 83606

☐ No change Address

☒ NEW ADDRESS

☐ How long owned property? 2004

Accompanied by: Vinton Howell (208) 880-1094

PRIORITY DATE

☐ No change – Complete evidence submitted or not necessary

☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.

☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 4/1/1885

(If priority date, based on your exam, seems questionable, explain below.)

Source: Indian Creek Tributary to Boise River

☒ No Change – SAME SOURCE

☐ Source found is different than claimed:

POINT OF DIVERSION

☐ No change

☒ POD found is different than claimed: Section 26, not 36

☒ If different, when did POD change? has always been located here

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

A00007133

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
			NE	SW	26	4N	3W	Canyon	N43° 39.104'
									W116° 40.058'

Description of diverting works

^{Screened}
Intake located in Indian Creek, south of pump house, to a Clemens pre clean tank, into pump house where a 60"x14'

OVERLAP REVIEW man hole is located for pumps to pull out of. 2 pumps:

Other water rights with the same point of diversion: None -

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

US motor
25HP (one
variable
drive), 6"
PVC discharge
90 psc
15' lift

WATER USES

☐ No change

☒ Different Uses No stockwater

Use Irrigation From 3/15 To 11/15 Amount _____

Use _____ From _____ To _____ Amount _____

Use _____ From _____ To _____ Amount _____

TOTAL VOLUME - Groundwater only N/A

☐ Incomplete on claim, the total is, Amount _____ CFS _____

☐ Changes found, the new total is, Amount _____ CFS _____

☐ More than 1" per Acre? Yes _____ (claimant must complete exc

Need to
recalculate
acres
irrigated, since
part of acreage
is asphalted
parking lot thanks

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☐ No Change

☒ Changes shown below: total acreage irrigated
is reduced due to asphalt parking lot

Place of Use			NE				NW				
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE

Need to
recalculate #
acres
irrigated, since
part is currently
asphalt parking lot
Thanks

Overlap with other water rights: None

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
—

Delivery System Narrative: 6" PVC discharge to 6" PVC main, crossing the road north of the pump house, the line reduces to 3" PVC (going north on Georgia Ave). At the first curve on Griffith Parkway, a line crosses the road going south to north (4" PVC), then branches going northeast (3" PVC), northwest & then north (3" PVC). 3 zones with 9 heads on each zone are ran at one time. Hunter I 25 nozzles are used (moisture driven system). Engineering department tested system to produce 450 gpm maximum, 400 gpm average (see attached sprinkler/irrigation map)

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No. model #	Pump Make	Pump Serial No. or Discharge size
A0002133	US	25	BF 37	—	6"
	US	25	BF 37	—	6"

variable drive

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

The City of Caldwell owns a total of 30 acres making up Heritage Park & Griffith Park,

Sprinkler/Irrigation map attached indicating complete system (see attachment)

No supplemental water utilized.

Directions: 184, 10th St/Caldwell off ramp, go under overpass toward town, turn left on Chicago, Right on Linden, Right on Griffith Parkway.

POD is southeast of Georgia Ave + Griffith Parkway intersection. POU is area around POD, north, northeast, + northwest of POD.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 8/14/06

FIELD EXAMINER: Sandy Hemenway

A63-26434 Goodyear

Current Owner: City of Caldwell

Date of Inspection: 7/27/06 & 8/8/06

Field Inspector: Sandy Hemenway

Sprinkler System (Hunter Nozzle chart attached):

3 zones with 9 heads per zone run at one time

Hunter I25 nozzles

According to the engineering sprinkler/irrigation map, nozzles run at 50-60psi depending on the location (see engineering map attached)

6" PVC Main Maximum Capacity Flow: 0.98cfs

Engineering calculations/measurements on capacity of system:

450gpm maximum (1.00 cfs)

400 gpm average flow (0.892 = **0.90 cfs**)

Pump Information (2 turbines):

(1) US Motor, 25 Hp, model BF37, variable drive, 6" discharge to 6" PVC main, 90 psi

(2) US motor, 25 Hp, model BF37, 6" discharge, to 6" PVC main, 90 psi

15' lift

Sprinkler system

HUNTER OR NELSON PUT-UP TYPE - IMPACT OR GEAR DRIVEN

Performance Data Standard Nozzles - 25-Degree Trajectory

Nozzle Number	PSI	Radius	GPM	Nozzle Number	PSI	Radius	GPM
 1	30	28'	.5	 7	30	36'	2.6
	40	29'	.6		40	40'	3.0
	50	29'	.7		50	42'	3.4
	60	30'	.8		60	42'	3.7
 2	30	29'	.7	 8	30	37'	3.2
	40	30'	.8		40	40'	3.7
	50	30'	.9		50	43'	4.2
	60	31'	1.0		60	44'	4.6
 3	30	30'	.9	 9	30	38'	4.2
	40	31'	1.0		40	43'	4.9
	50	31'	1.2		50	46'	5.5
	60	32'	1.3		60	47'	6.0
 4	30	32'	1.2	 10	40	45'	6.0
	40	33'	1.4		50	48'	6.8
	50	34'	1.6		60	49'	7.6
	60	34'	1.8		70	51'	8.2
 5	30	34'	1.6	 11	40	46'	8.0
	40	36'	1.8		50	48'	8.9
	50	38'	2.0		60	50'	9.8
	60	38'	2.2		70	51'	10.5
 6	30	36'	2.0	 12	40	46'	11.4
	40	38'	2.4		50	48'	12.2
	50	40'	2.7		60	50'	13.2
	60	40'	2.9		70	52'	14.4

Data represents test results in zero wind. Adjust for local conditions.
Optimum distribution efficiency is at 50 PSI.
Radius can be reduced by up to 30% with nozzle retaining screw.

*System run with
3 zones, each having
9 heads per zone,
running at the
same time*

> map shows both

Low Angle Nozzles - 13-Degree Trajectory

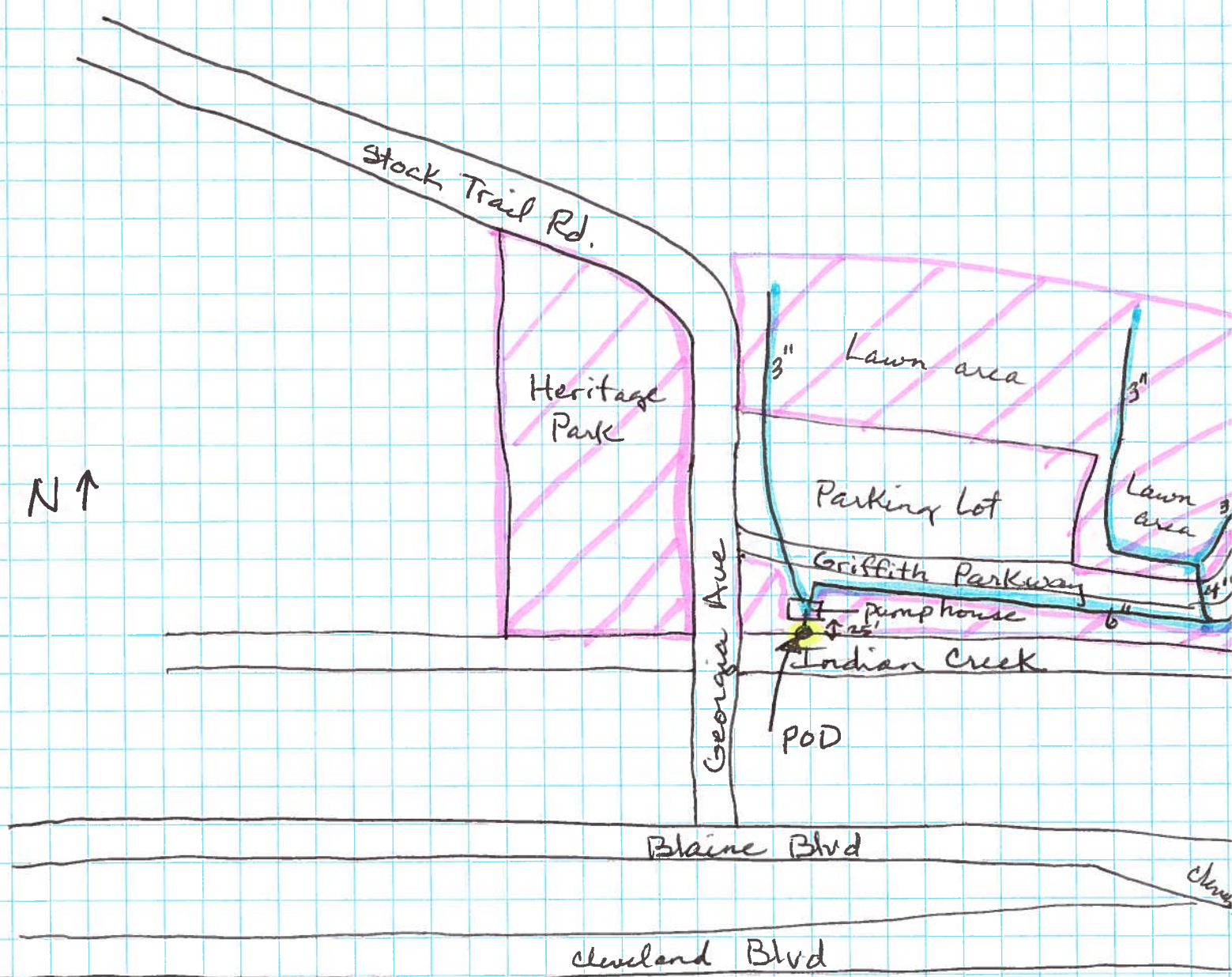
Nozzle Number	PSI	Radius	GPM	Nozzle Number	PSI	Radius	GPM
 4	30	22'	1.4	 8	30	31'	3.4
	40	24'	1.7		40	34'	3.9
	50	26'	1.8		50	37'	4.4
	60	28'	2.0		60	38'	4.7
 5	30	25'	1.6	 9	30	33'	4.3
	40	27'	1.9		40	37'	5.0
	50	28'	2.1		50	40'	5.6
	60	30'	2.3		60	42'	6.1
 6	30	27'	2.1	 10	40	38'	6.5
	40	30'	2.5		50	40'	7.3
	50	33'	2.8		60	42'	8.0
	60	35'	3.0		70	44'	8.6
 7	30	29'	2.8	 P	Blank nozzle plug for turning off selected sprinklers during repairs, maintenance, etc.		
	40	32'	3.1				
	50	35'	3.5				
	60	37'	3.8				

Data represents test results in zero wind. Adjust for local conditions.
Optimum distribution efficiency is at 50 PSI.
Radius can be reduced by up to 30% with nozzle retaining screw.

Matched Precipitation GPM at 50 PSI

Square Spacing	90° Nozzle No.	90° GPM	180° Nozzle No.	180° GPM	360° Nozzle No.	360° GPM
25'	1	.7	3	1.2	6	2.7
30'	2	.9	5	2.0	8	4.2
35'	3	1.2	6	2.7	9	5.5
40'	4	1.6	7	3.4	10	6.8
45'	5	2.0	8	4.2	11	8.9

When the arc/nozzle combinations are spaced as indicated, the precipitation rate will be approximately .4"/hr. at 50 PSI.



63-26434 Goodyear

 = POU

 = distribution

 = POD



POD:
intake
screened
on Indian
Creek
southeast
of
Griffith
Parkway &
Georgia Ave
intersection

27/07/2006

July 27, 2006 SH



25' north
of intake
Clemen
pre clea

27/07/2006

July 27, 2006 SH

63-26434 Goodyear
Current Owner: City of Caldwell



16x16
cinder block
pump house

POD: intal
15' lift
from Indian C

Clemen
pre clear

08/08/2006

8/8/2006 SH



90psi

6" discharge

60"x14'
man
hole
for pumps
to pull the
water
from

08/08/2006

8/8/2006 SH

63-26434 Goodyear
Current owner: City of Caldwell



(2) turbine pumps:
US Motor
25 Hp
model BF3
6" discharge
(variable drive)

US Mot
25 Hp
model BF37
6" discharge
to 6" PVC
main
reducing to
3" PVC
laterals

08/08/2006

8/8/2006 SH



Stock Trail Rd.

3 zones w/
9 heads/zone
run at one
time:
Hunter I25
nozzles

POU:
lawn area

Griffith
Parkway

POU
area north
of pump
house + t.
east

08/08/2006

8/8/2006 SH

63-26434 Goodyear
Current owner: City of Caldwell

POU:
Heritage
Park

Georgia
Ave



POU:
Lawn area
north +
northeast
east of
parking
lot

63 - 26434 Goodyear
Current Owner: City of Caldesell

July 27, 2006 SH

2004 NAPP

26

Chicago St.

Creekside
Subdivision

NWSW

NESW

Athletic Fields

#63-26434
claimed POU

#63-26435
claimed POU

Cleveland Blvd.



Idaho Department of Water Resources

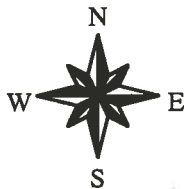
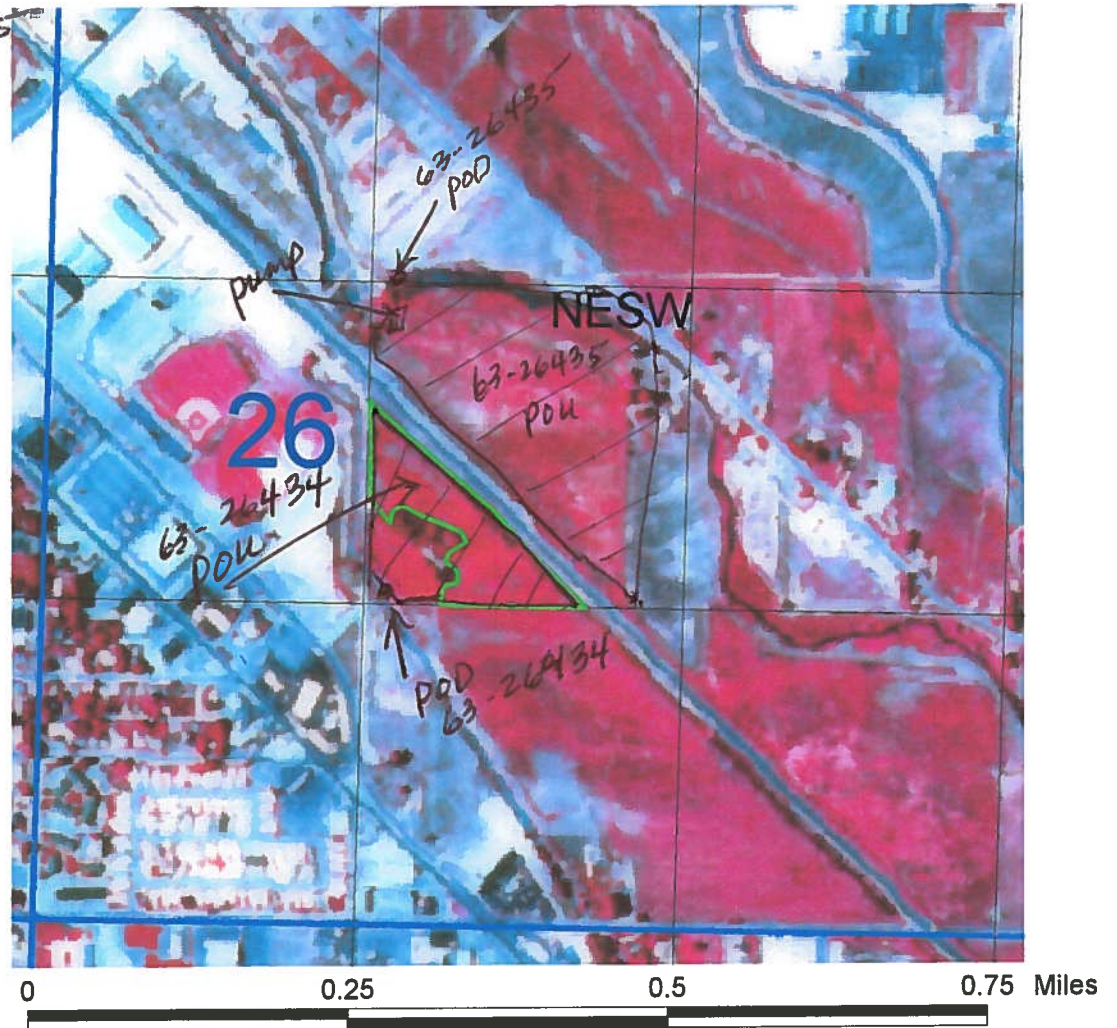
Claim Number: 63-26434 + 63-26435

Legal: T04N, R03W, S26

Reviewed By:

1987 Napp Photo

-  Point of Diversion
(Located outside of view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



* 2 claims:

Sandy H. -

A63-26434 & A63-26435 Field Exam Request:

Goodyear

Contact:

04/11/2006

There is no one, that I am aware of, to contact to set up a field exam since both Clara Stewart and John Goodyear, of Portland, OR; are deceased.

Basically, the 20 acres claimed for 63-26435 are now known as: **Creekside Subdivision Mobile Home Court** and the 6 acres claimed for 63-26434 are now owned by the **City of Caldwell and Canyon County**. Therefore, in order to conduct the field exam for what is now the subdivision (63-26435), for example, you may want to speak to a resident that may happen to be outside while you are there or knock on a few Creekside Subdivision homes to speak to someone and see if they use surface water from Indian Creek to irrigate their lawns. Regarding the 6.0 acres now owned by Caldwell and Canyon Co. (63-26434), I would suggest that you visit the site without trying to contact anyone.

property ownership change form mail to them

Change of ownership attached for property owned by City of Cal

Property Addresses:

Both pieces of property are located between Chicago Street and Cleveland St, Caldwell -- just east of the Simplot Stadium/Athletic Field. Please refer to the next two attached pages (1958 Topo and Gem Co. maps) in order get the location of these two parcels.

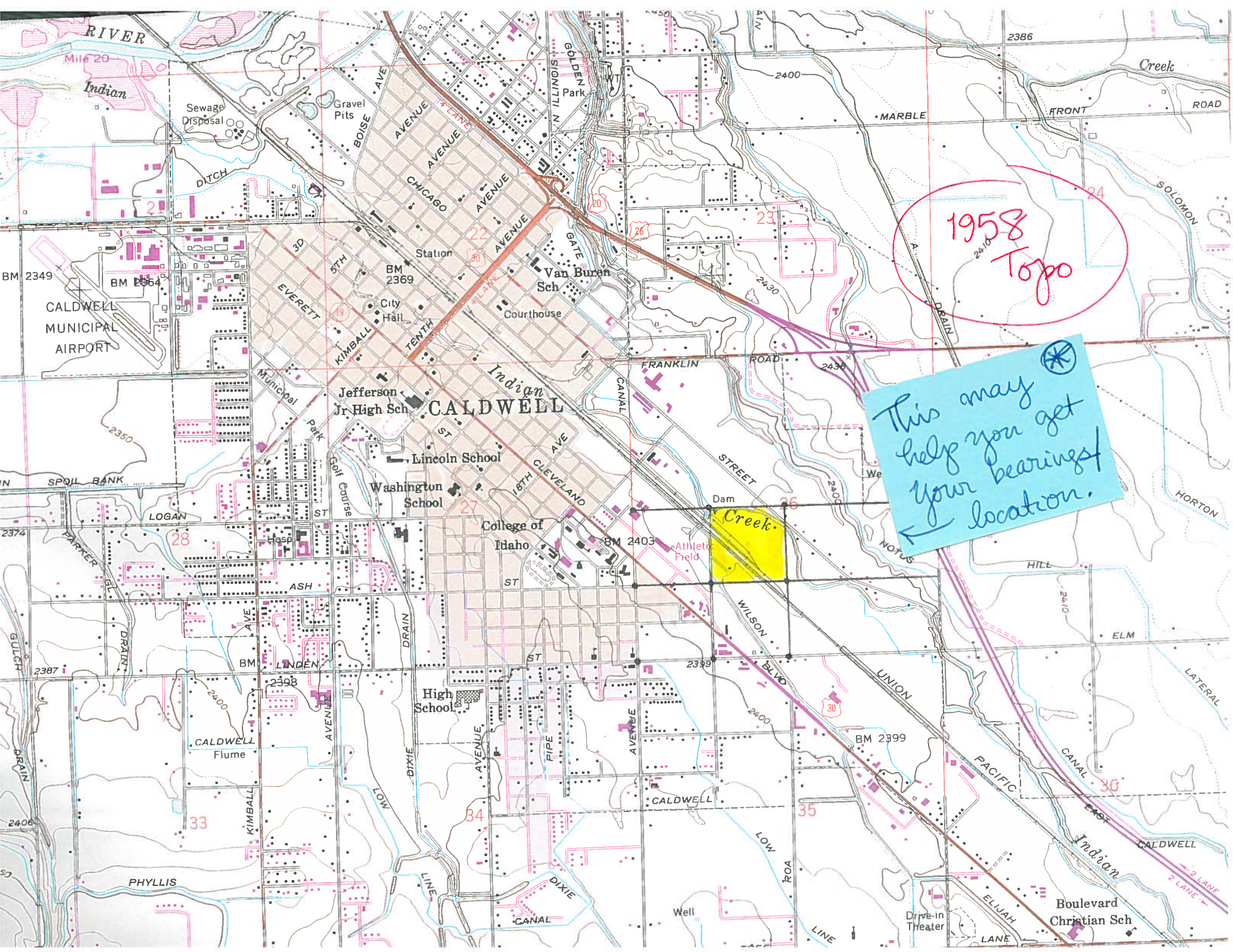
Requests:

*Please verify **all of the elements** of both of these rights.

In addition, please verify:

- ☒ Is **Indian Creek** water used to irrigate these two parcels and to water stock? **Yes (irrigate)**
No (stockwater)
- ✓ **GPS** the location of the **initial POD** located in **T04N, R03W, Sec 36, NESW** and verify whether there are **secondary PODs** for **both** pieces of property in **T04N, R03W, Sec 26, NESW**.
No one was familiar w/ this POD. only those in section 26
- Is **Pioneer Irrigation District** water used to supplement either of these rights? **No**
unknown
- How many **stock** were watered from the springs and wastewater **in 1987**? Are there **currently** any stock on either of these parcels? **No, except on property located at 2615 Chicago but they don't use water**
- **1987 Aerial Photo:** Please draw the **irrigated acres** on the enclosed **1987 aerial photograph**. Draw the **diversion works** on the enclosed aerial photos also; along with the **initial and secondary points of diversion** for both parcels.
from Indian Creek (use city of Caldwell water)
- **Capacity of System:** Calculate the capacity of the system. Verify that the claimed **0.0.43 cfs for #63-26435** and the **0.15 cfs for #63-36434** are both possible and/or applicable. **see attachment**

Kimberly Brown, Water Resource Agent, IDWR - Western Region



1958
Topo

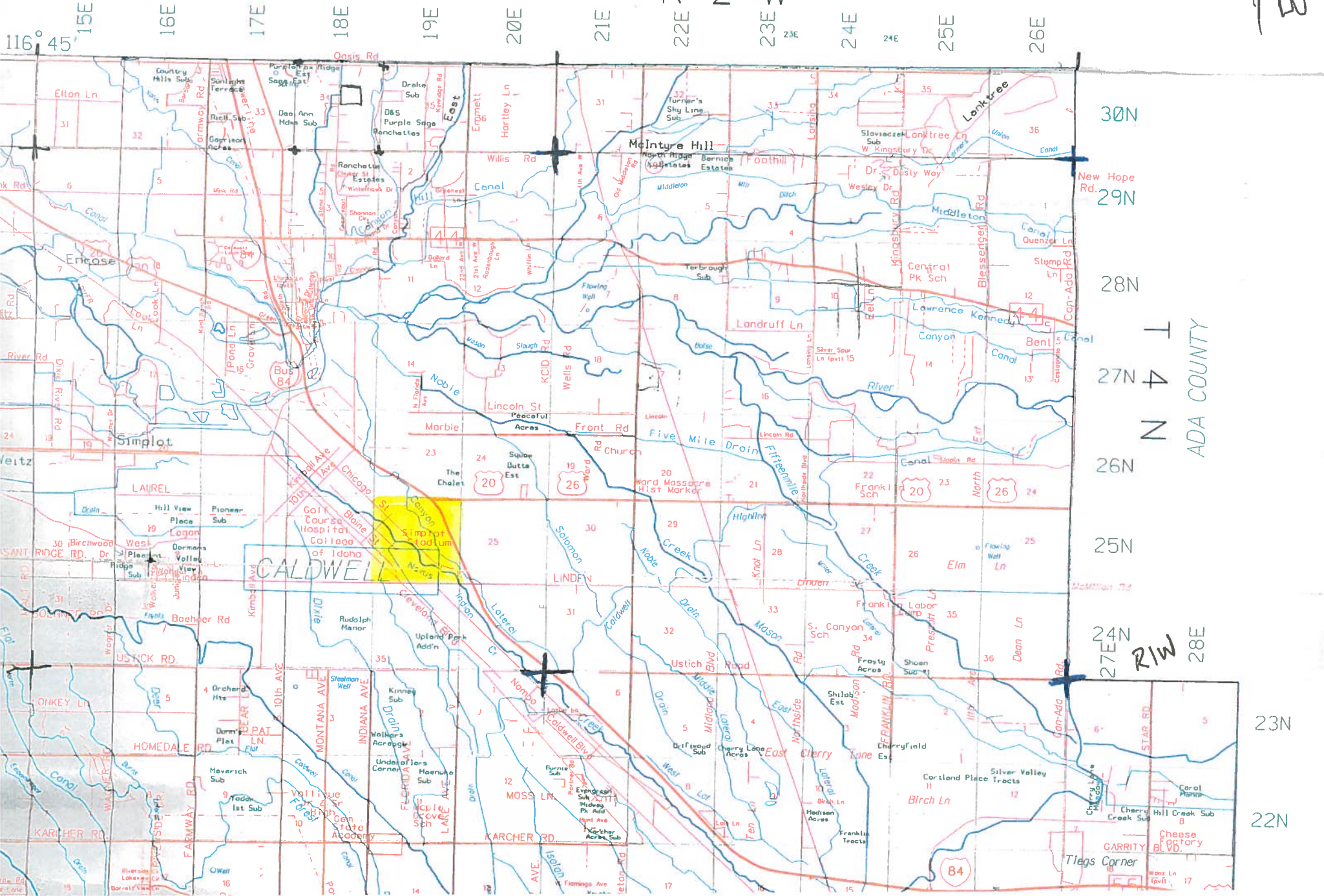
This may
help you get
your bearings/
location.

GEM COUNTY

R 3 W

R 2 W

1 W



30N

29N

28N

27N

26N

25N

24N

23N

22N

ADA COUNTY

RIW

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

AG 3-26434

Date Received

3/26/90

Receipt Number

201718

RECEIVED

MAR 26 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Clara P. Stewart Phone (503) 223-2303
Mailing Address 2920 N.W. Monte Vista Terrace Zip 97210
Portland, Oregon

2. Date of Priority (Only one (1) per claim) April 1, 1885

3. Source of water supply (a) Indian Creek
which is tributary to (b) Boise River

4. a. Location of existing point of diversion is: Township 4 N Range 3 W Section 36,
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Canyon

Additional points of diversion if any: T 4N, R 3W, Sec. 26, NE 1/4 of SW, S of Railroad.

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Direct diversion, canvas headgate

MICROFILMED

SEP 14 1992

Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .12 or _____
 For Stockwater purposes from 1/1 to 12/31 amount .03 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .15 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater; 26-50 cattle and horses

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	3W	26									6								6
		26									S								

Total number of acres irrigated 6

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes X No _____
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks:

Attached are (1) power of attorney for John W. Goodyear by Clara P. Stewart; (2) map for locating property; (3) notice of water right location (1902); (4) affidavit of Clara Powell (1907); and (5) agreement between Pioneer Irrigation District and Clara Goodyear (1940).

Last Name STEWART

Ident No. A63-26434

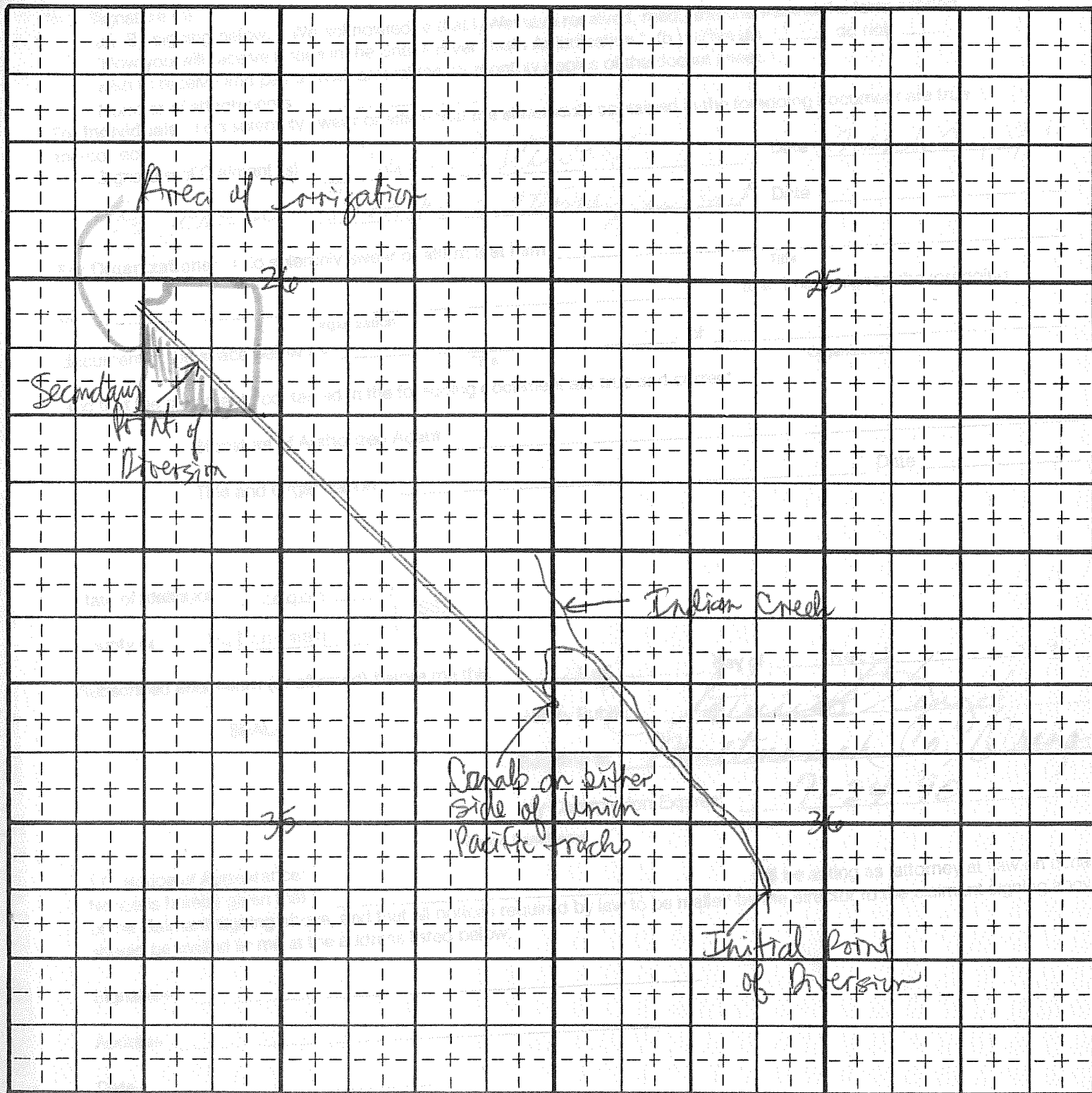
MICROFILMED

Copies: White State, Yellow-Claimant
 SEP 14 1992

of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T 4 N R 3 W

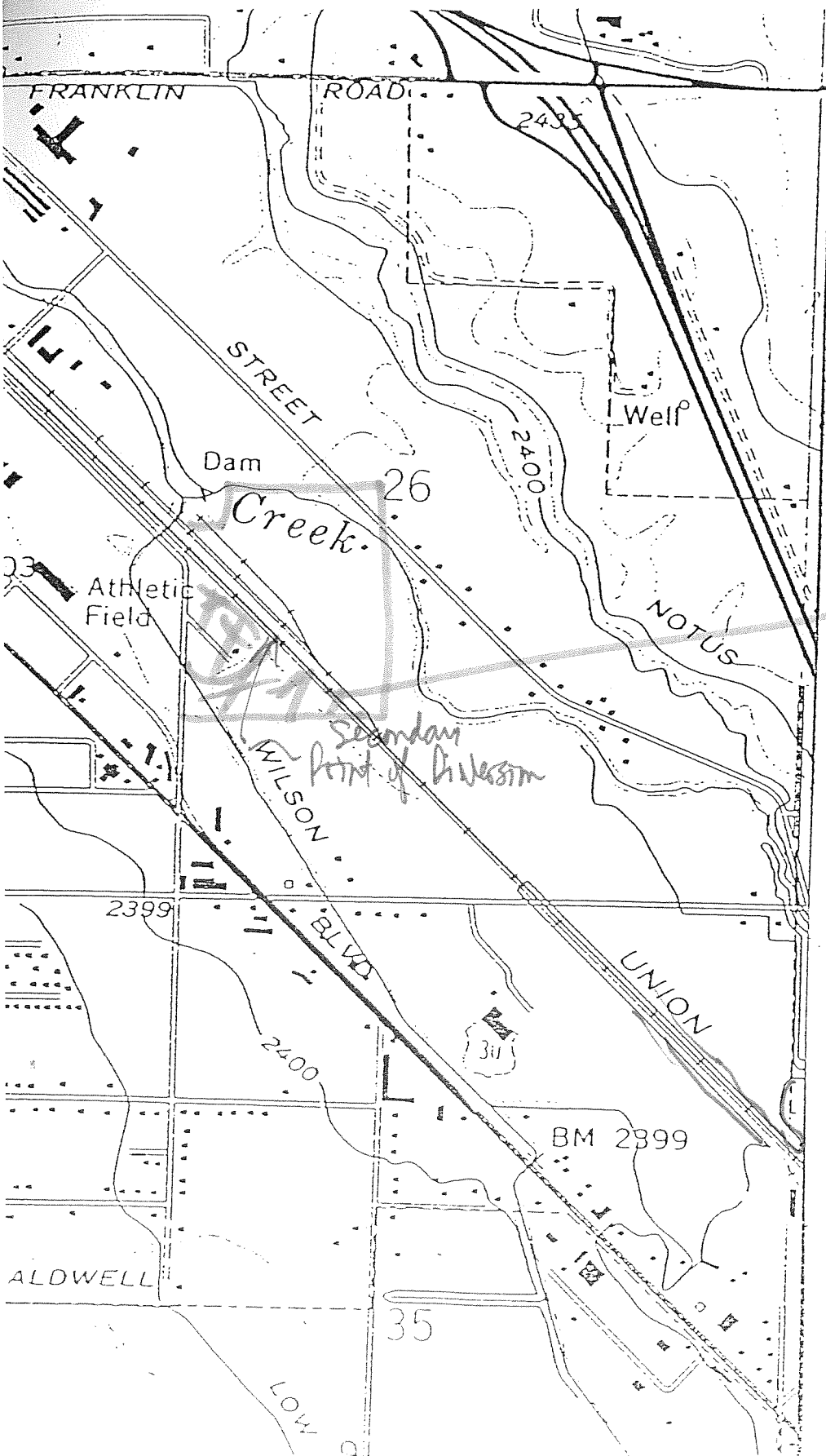


Last Name STEWART

Ident No. 463-26434

MICROFILMED
Copies: White-State, Yellow-Claimant

SEP 14 1992



Area Irrigated
(app.)

Initial Point
of Diversion
(Not on this map)

MICROFILMED
SEP 14 1992

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-26434

WATER RIGHT NUMBER: 63-26434

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	~~CLARA P. STEWART~~ <i>deceased</i> 2920 NW MONTE VISTA TERR PORTLAND, OR 97210 (503)223-2303
Current Owner	~~JOHN W. GOODYEAR~~ <i>deceased</i> 2920 NW MONTE VISTA TERR PORTLAND, OR 97210 (503)223-2303

Priority Date: 04/01/1885

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
INDIAN CREEK	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.120 CFS	
STOCKWATER	1/01 to 12/31	0.030 CFS	
	<u>Total Diversion:</u>	0.150 CFS	

Location of Point(s) of DiversionINDIAN CREEK
CANYON County

NE1/4SW1/4

Sec. 36, Twp 04N, Rge 03W, B.M.

Place of Use

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	03W	26																	6.0

Total Acres: 6

STOCKWATER

None Known of

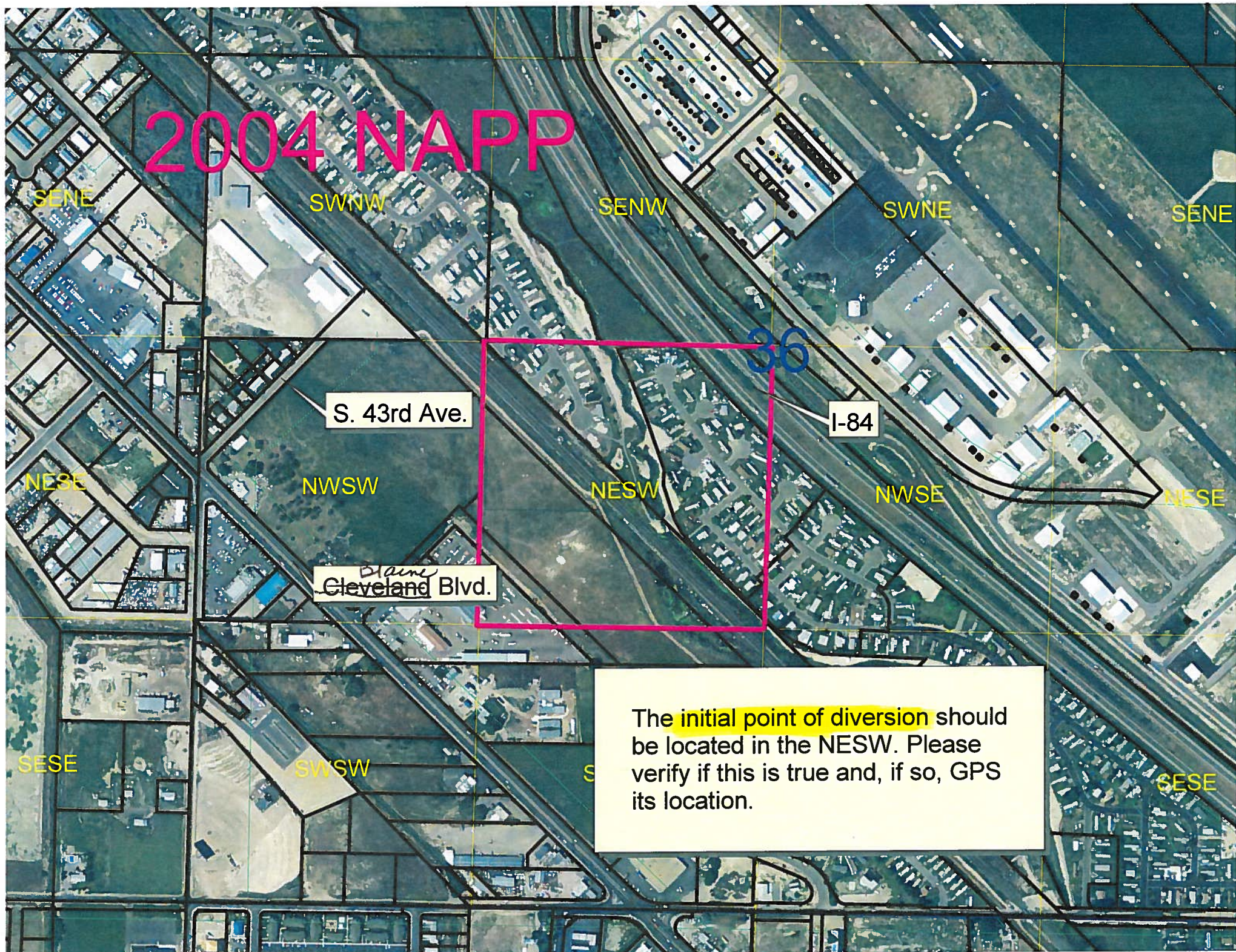
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	26																	X

Current Owners:Canyon County
1115 Albany St.
Caldwell

#

City of Caldwell, Engineer
P.O. Box 1177
Caldwell 621
Cleveland Blvd
Caldwell
83606(208) 455-4783
(208) 455-3006

2004 NAPP



S. 43rd Ave.

I-84

Blaine
Cleveland Blvd.

The initial point of diversion should be located in the NESW. Please verify if this is true and, if so, GPS its location.

#63-26435

#63-26434 - Please indicate
the points of diversion on
this 1987 aerial.

NENE

NWNW

NERW

NWNE

SENE

SWNW

SENW

SWNE

SENE

SWNW

36

ESE

NWSW

NESW

NWSE

NESE

NWSW

ESE

SWSW

SESW

SWSE

ESE

SWSW

S

MAP

TOO

LARGE

TO

SCAN

A63-26434 & A63-26435 Field Exam Request:
Goodyear

Contact:

04/11/2006

There is no one, that I am aware of, to contact to set up a field exam since both Clara Stewart and John Goodyear, of Portland, OR; are deceased.

Basically, the 20 acres claimed for 63-26435 are now known as: **Creekside Subdivision Mobile Home Court** and the 6 acres claimed for 63-26434 are now owned by the **City of Caldwell and Canyon County**. Therefore, in order to conduct the field exam for what is now the subdivision (63-26435), for example, you may want to speak to a resident that may happen to be outside while you are there or knock on a few Creekside Subdivision homes to speak to someone and see if they use surface water from Indian Creek to irrigate their lawns. Regarding the 6.0 acres now owned by Caldwell and Canyon Co. (63-26434), I would suggest that you visit the site without trying to contact anyone.

Property Addresses:

Both pieces of property are located between Chicago Street and Cleveland St, Caldwell -- just east of the Simplot Stadium/Athletic Field. Please refer to the next two attached pages (1958 Topo and Gem Co. maps) in order get the location of these two parcels.

Requests:

*Please verify **all of the elements** of both of these rights.

In addition, please verify:

- Is **Indian Creek** water used to irrigate these two parcels and to water stock?
- **GPS** the location of the **initial POD** located in **T04N, R03W, Sec 36, NESW** and verify whether there are **secondary PODs** for **both** pieces of property in **T04N, R03W, Sec 26, NESW**.
- Is **Pioneer Irrigation District** water used to supplement either of these rights?
- How many **stock** were watered from the springs and wastewater **in 1987**? Are there **currently** any stock on either of these parcels?
- **1987 Aerial Photo:** Please draw the **irrigated acres** on the enclosed **1987 aerial photograph**. Draw the **diversion works** on the enclosed aerial photos also; along with the **initial and secondary points of diversion** for both parcels.
- **Capacity of System:** Calculate the capacity of the system. Verify that the claimed **0.043 cfs for #63-26435** and the **0.15 cfs for #63-36434** are both possible and/or applicable.

Kimberly Brown, Water Resource Agent, IDWR - Western Region

2004 NAPP

S. 43rd Ave.

Cleveland Blvd.

I-84

The initial point of diversion should be located in the NESW. Please verify if this is true and, if so, GPS its location.

2004 NAPP

26

Chicago St.

Creekside
Subdivision

NW/SW

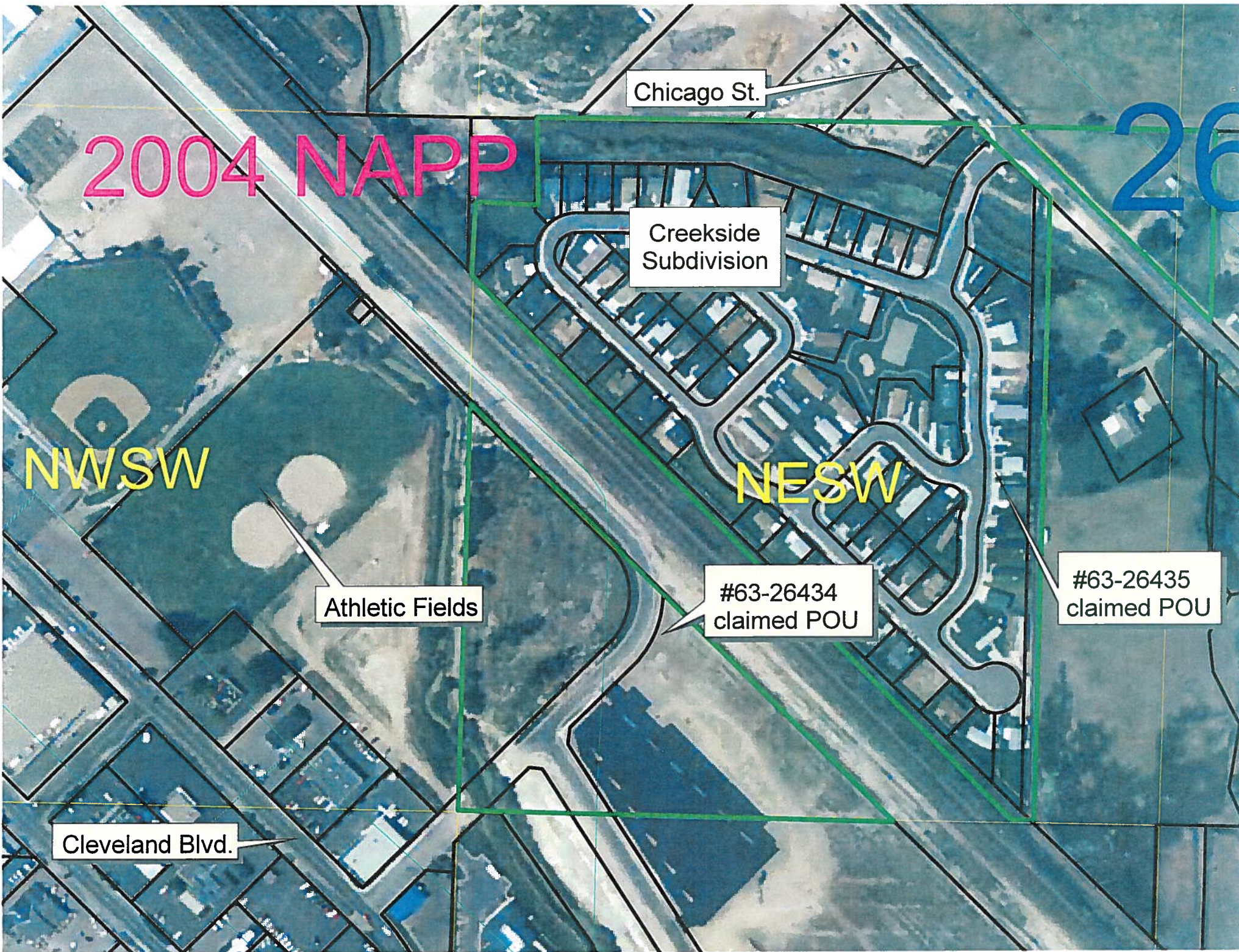
NESW

Athletic Fields

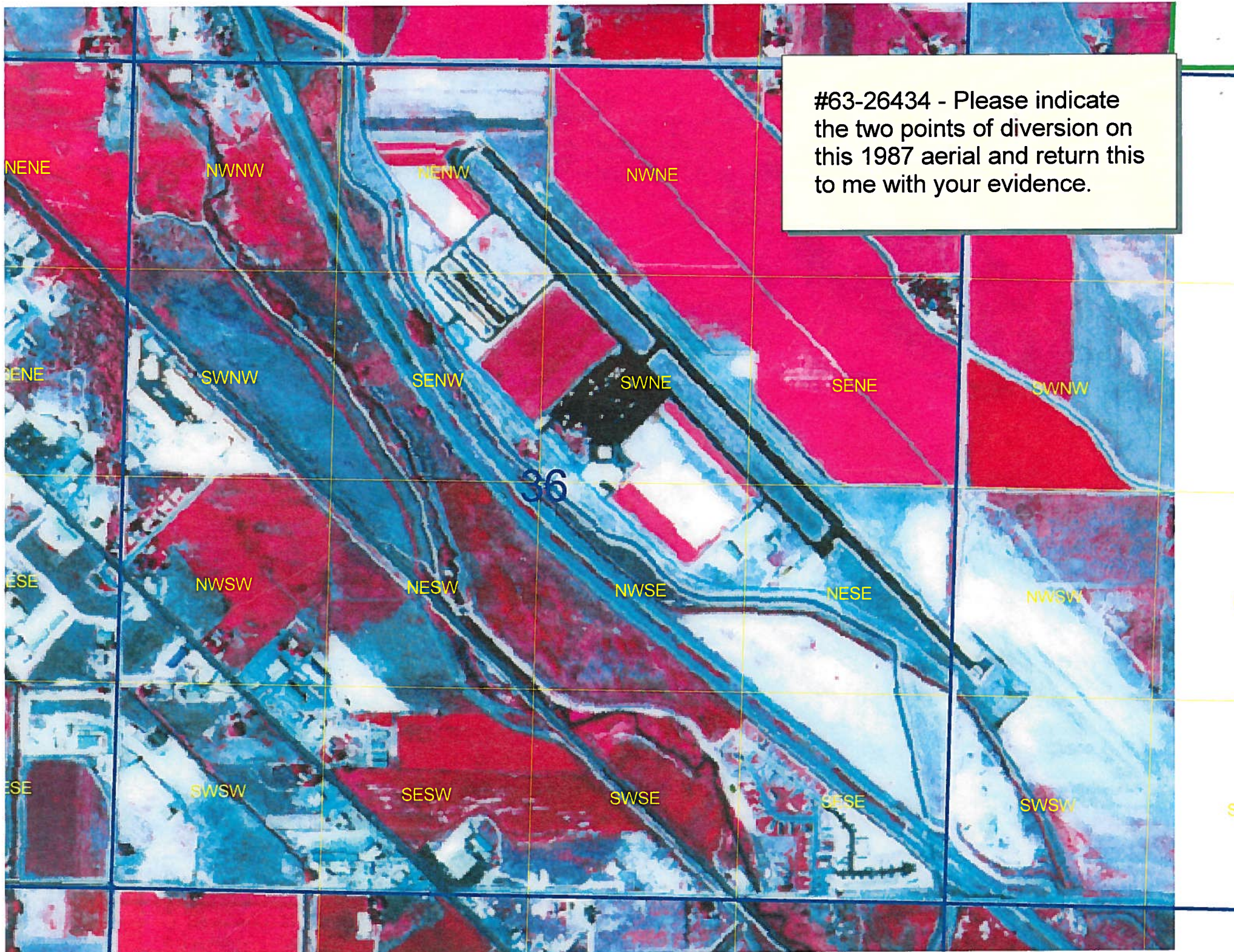
#63-26434
claimed POU

#63-26435
claimed POU

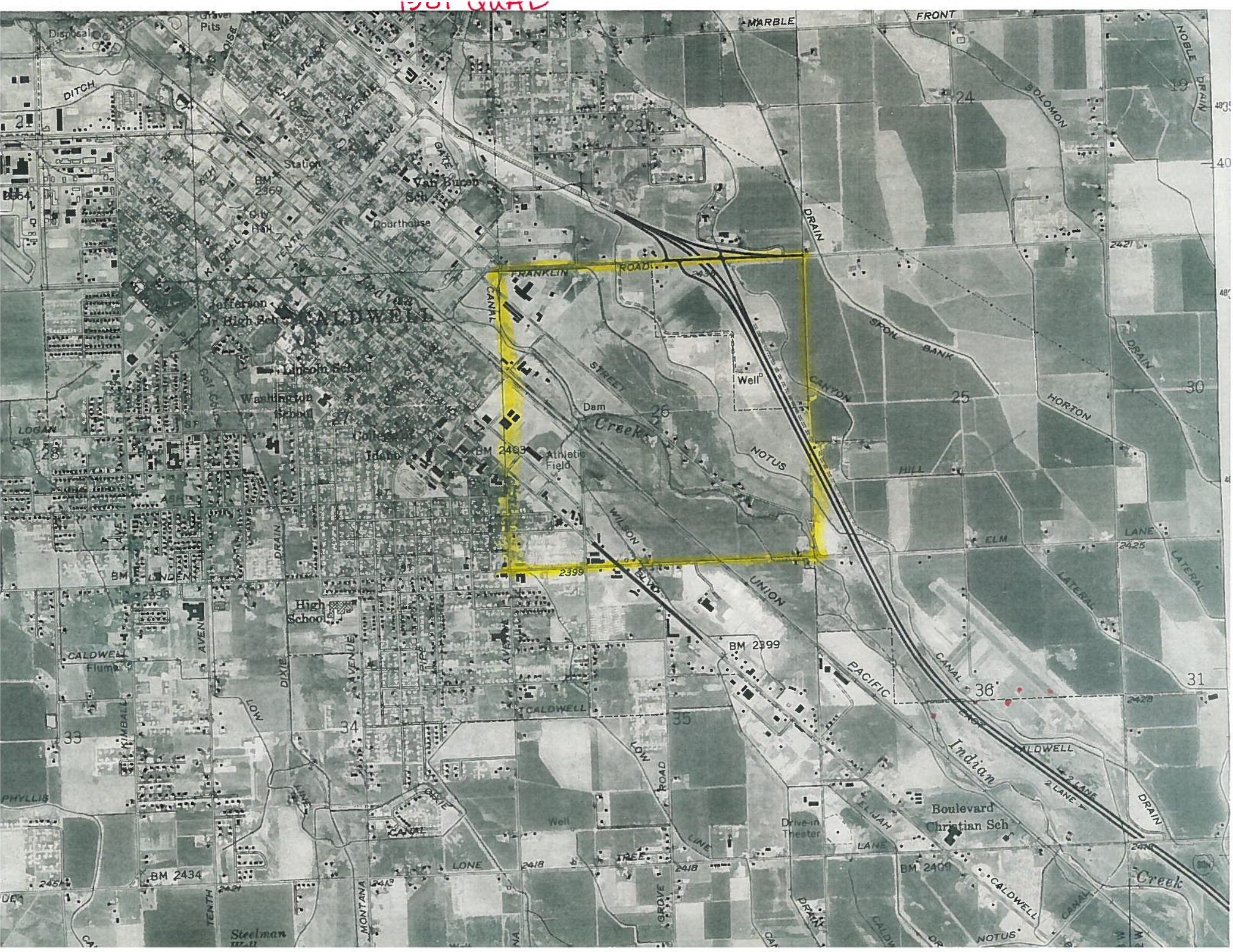
Cleveland Blvd.

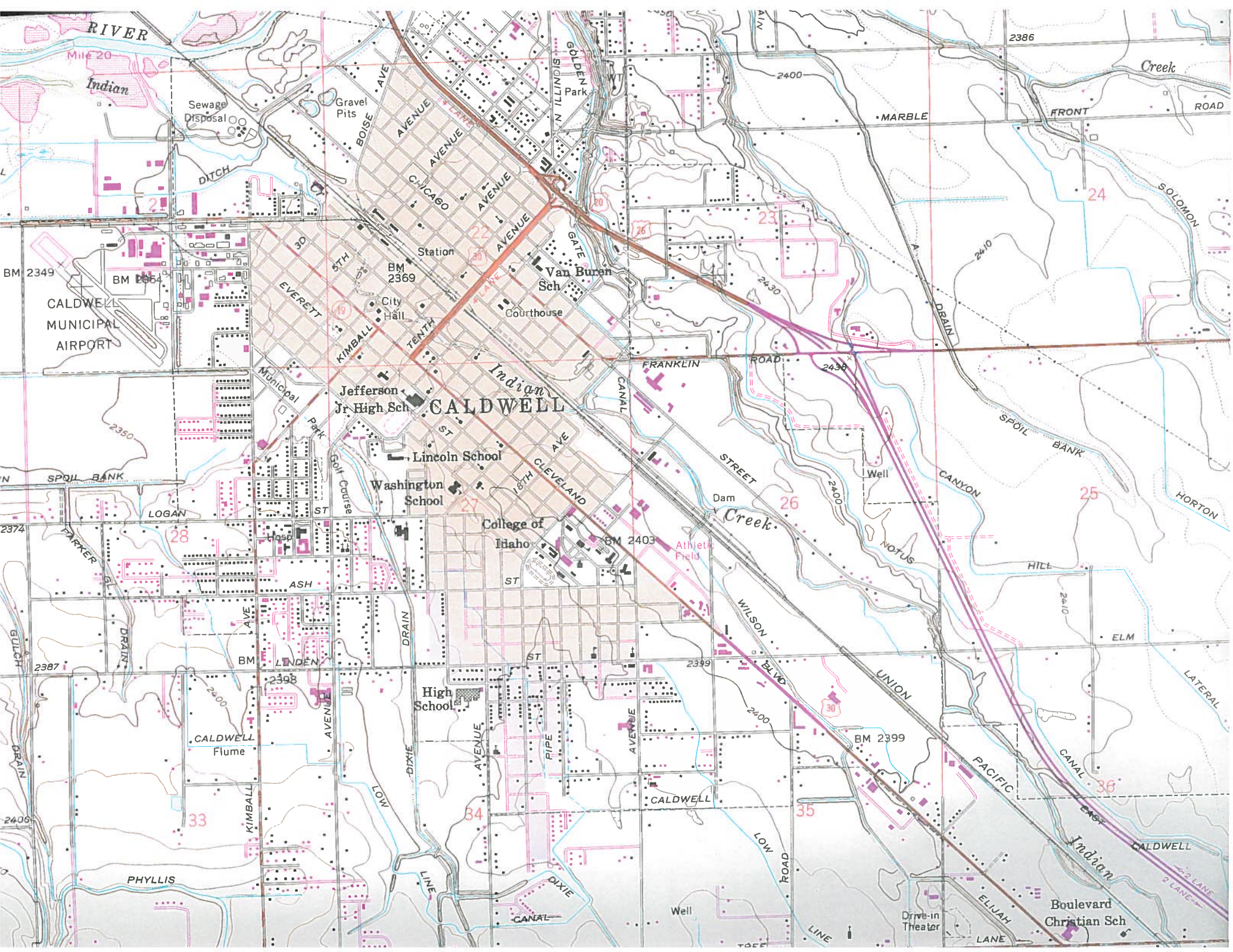


#63-26434 - Please indicate the two points of diversion on this 1987 aerial and return this to me with your evidence.



1901 MAP



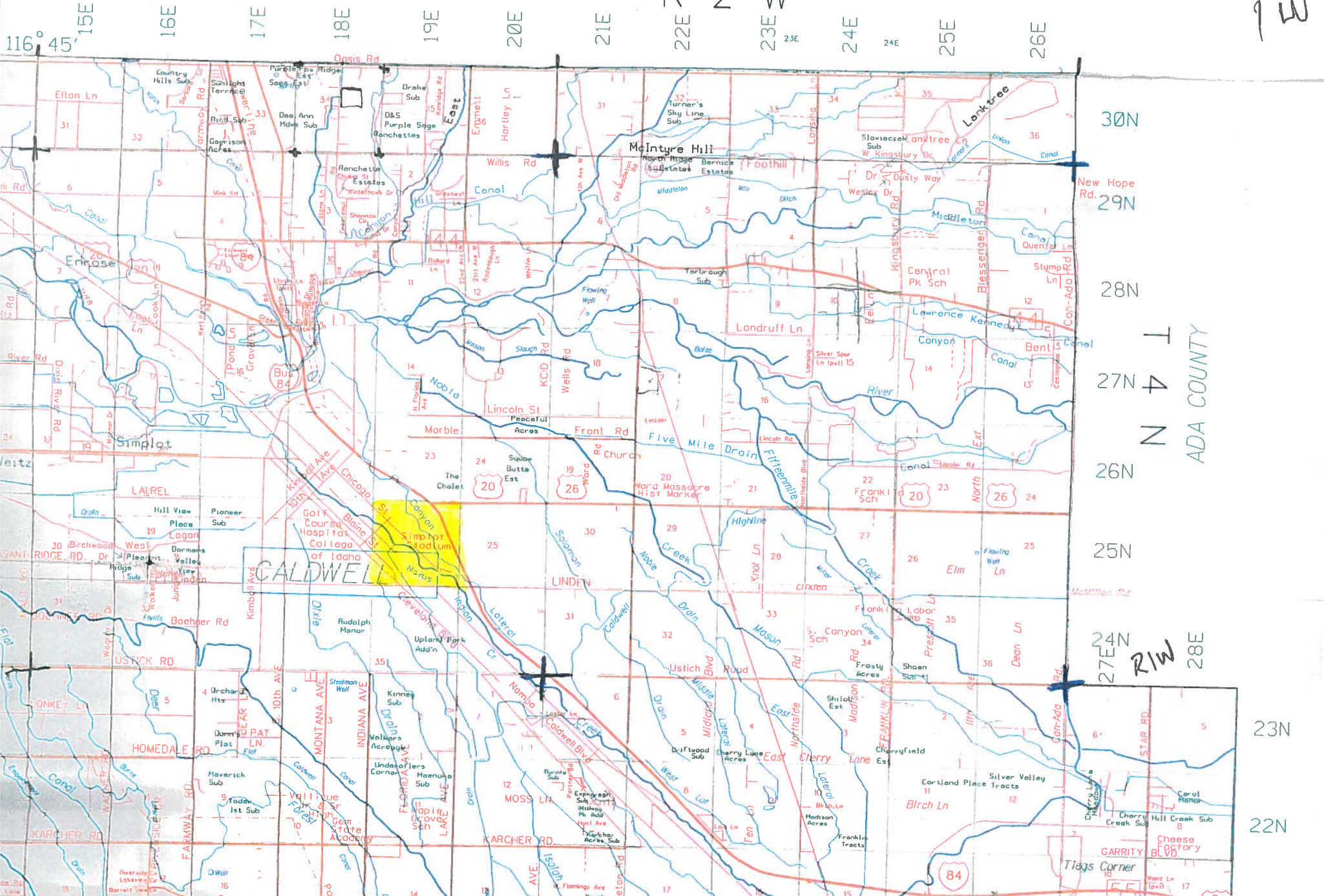


GEM COUNTY

R 3 W

R 2 W

1 W





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 29, 2006

JOHN W. GOODYEAR *deceased Aug. 1999*
2920 NW MONTE VISTA TERRACE
PORTLAND OR 97210

← only
"evidence"
received from
Mrs. John Goodyear.
-KB

THORNE
for
EHER
r

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-26434 & A63-23435

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled, **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by April 19, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area. In the near future, you may be receiving a call from us in order to set-up an appointment for a field exam.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-26434 & A63-36435

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

March 29, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOHN W. GOODYEAR *deceased Aug. 1999*
2920 NW MONTE VISTA TERRACE
PORTLAND OR 97210

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-26434 & A63-28435

MRS JOHN W GOODYEAR
2920 NW MONTE VISTA TER
PORTLAND OR 97210-3343



9261

83705

U.S. POSTAGE
PAID
PORTLAND, OR
97208
APR 07 '06
AMOUNT

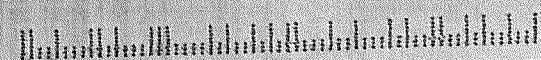
\$0.87
00081437-11

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED
APR 10 2006
WATER RESOURCES
WESTERN REGION

FIRST CLASS

83705+5082-35 CODE



Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-26434

WATER RIGHT NUMBER: 63-26434

Owner Type
Original Owner

Name and Address

~~CLARA P STEWART~~ *deceased*
2920 NW MONTE VISTA TERR
PORTLAND, OR 97210
(503)223-2303

Current Owner

~~JOHN W GOODYEAR~~ *deceased*
2920 NW MONTE VISTA TERR
PORTLAND, OR 97210
(503)223-2303

MRS JOHN W GOODYEAR
2920 NW MONTE VISTA TER
PORTLAND OR 97210-3343



9261



83705

U.S. POSTAGE
PAID
PORTLAND, OR
97208
APR 07, '06
AMOUNT

\$0.87
00081437-11

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED
APR 10 2006
WATER RESOURCES
WESTERN REGION

FIRST CLASS

83705+5082-35 0008





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 29, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOHN W GOODYEAR
2920 NW MONTE VISTA TERRACE
PORTLAND OR 97210

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-26434 & A63-23435

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled, **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by April 19, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area. In the near future, you may be receiving a call from us in order to set-up an appointment for a field exam.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-26434 & A63-36435

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 29, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOHN W GOODYEAR
2920 NW MONTE VISTA TERRACE
PORTLAND OR 97210

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-26434

*+ sent
shapefile
& 1987 aerial
for ROWs loc.*

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

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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

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-26434

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-26434

Date: 3-24-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	3W	26									6								6
GIS												6								6
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 6

Overlapping POU Claim #'s:

Total GIS Acres: 6

COMMENTS:

POU 4pod per claim map: + image interp

Idaho Department of Water Resources

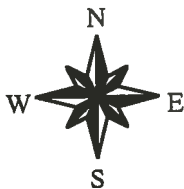
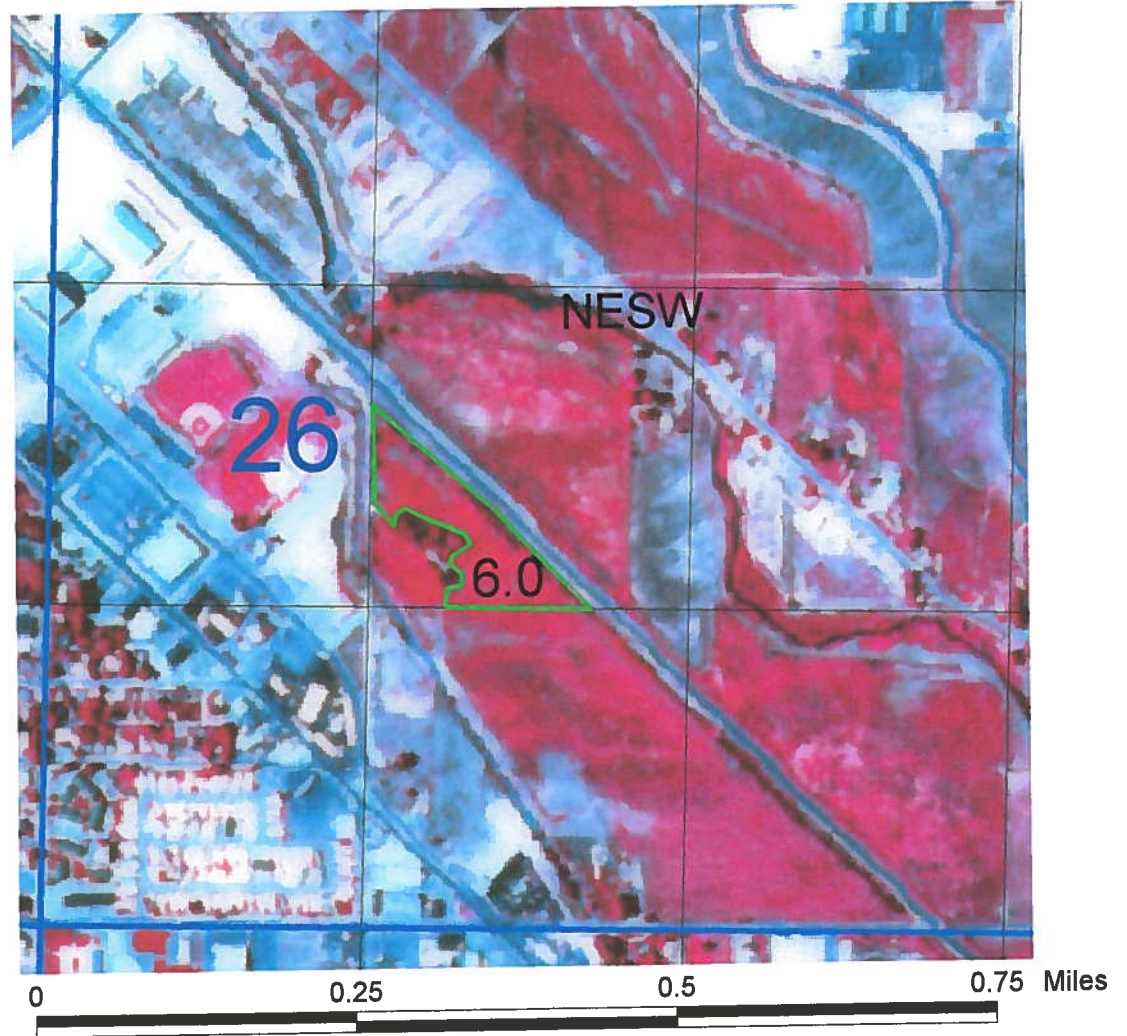
Claim Number: 63-26434

Legal: T04N, R03W, S26

Reviewed By:

1987 Napp Photo

-  Point of Diversion
(Located outside of view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



Memorandum

To: Lori Harris

From: Danni Smith

Date: July 23, 1997

RECEIVED

JUL 25 1997

WATER RESOURCES
WESTERN REGION

RE: attached Indian Ck Water Rts list

Per Dave Tuthill please file these in the claim files at your office. May want to run them by Jan so she is aware they are there. Keith Anderson, who is doing some work for City of Nampa, brought these into the office on Monday, thought we would like to have the discrepancy information.

So, I copied you can "file". Have a nice day.

Indian Ck. Water Rts

Indian Creek Water Rights

(Downstream from Nampa Waste Water Treatment Plant)

Number	Name	CFS	Priority	Point of Diversion	Use	Remarks	See Footnote
63-02114	Pioneer Irrig. Dist.	8.64	10/15/1909	NE SW 36-04N 03W	Irrigation	License	
63-02279	Riverside Irrig. Dist.	89.90	11/04/1915	NW NE 21-04N 03W	Irrigation	Beneficial Use	
63-02374	Riverside Irrig. Dist.	88.50	08/02/1922	NW NE 21-04N 03W	Irrigation	License	
63-02386	Simplot Livestock Co.	1.56	01/17/1924	NW NE 21-04N 03W	Irrigation	License	
63-04009	Riverside Irrig. Dist.	180.00	11/04/1915	NW NE 21-04N 03W	Irrigation	Statutory Claim	
63-05219	Pioneer Irrig. Dist.	18.00	05/01/1961	SW NE 22-03N 02W	Irrigation	Beneficial Use	(1)
63-05237	Pioneer Irrig. Dist.	16.00	04/01/1910	NE SW 26-04N 03W	Irrigation	Beneficial Use	(2)
63-05255	Pioneer Irrig. Dist.	2.17	05/01/1915	SE SW 22-04N 03W	Irrigation	Beneficial Use	(3)
63-05374	Ralph/Avona Russi	0.21	01/01/1937	SE NW SE 26-04N 03W	Irrig/Stock	Statutory Claim	(4)
63-21481	Ernest/Maryetta Wilson	0.06	04/10/1944	SW NW 36-04N 03W	Irrigation	Beneficial Use	
63-26434	John W. Goodyear	0.15	04/01/1885	NE SW 36-04N 03W	Irrig/Stock	Beneficial Use	(5)
63-26435	John W. Goodyear	0.43	04/01/1885	NE SW 36-04N 03W	Irrig/Stock	Beneficial Use	(6)
63-28917	Ralph Smeed	0.54	03/15/1915	NE SW NW 36-04N 03W	Irrigation	Beneficial Use	
63-28938	Woodgrain Millwork Inc.	5.01	12/31/1958	SE SE 08-03N 02W	Fire Protection	Beneficial Use	

Information from both IDWR Files: "Listing of Water Rights" and "Adjudication Listing of Water Rights"

Footnotes:

- (1) From Adjudication List--also shown as 04/1/61 priority; as 16.00 cfs; Pt.Diversion in NW SE sec. 22; and Statutory Claim
- (2) From Adjudication List--also shown as Statutory Claim
- (3) From Adjudication List--also shown as 2.50 cfs; 04/01/1910 priority; Pt.Diversion in NW SW sec. 22; and Statutory Claim
- (4) From Adjudication List--includes 0.03 cfs stockwater; also shown as 0.19 cfs total including 0.01 cfs stockwater
- (5) Includes 0.03 cfs stockwater
- (6) Includes 0.03 cfs stockwater

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: **R63-26434**
Date Received: 3/26/1990
Receipt No: W011718
Received By: _____

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

1. Name: JOHN W GOODYEAR 503-223-2303
Address: 2920 NW MONTE VISTA TERRACE
PORTLAND OR 97210

2. Date of Priority: APR 1, 1885

3. Source: INDIAN CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	36	NE	SW			CANYON

5. Description of diverting works:
DIRECT DIVERSION, CANVAS HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK, 26-50 RANGE CATTLE & HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	26	NE	SW		IRR	6.0
			NE	SW		STOCK	

10. Place of Use: Continued

Section Acres 6.0

Total Acres 6.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

ATTACHED ARE (1) POWER OF ATTORNEY FOR JOHN W. GOODYEAR BY CLARA P. STEWART; (2) MAP FOR LOCATING PROPERTY; (3) NOTICE OF WATER RIGHT LOCATION (1902); (4) AFFIDAVIT OF CLARA POWELL (1907); AND (5) AGREEMENT BETWEEN PIONEER IRR. DIST. AND CLARA GOODYEAR (1940).

CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 4/17/92.

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

MICROFILMED

SEP 14 1992

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

SEP 14 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Date April 20, 1992

[
John W. Goodyear
2920 NW Monte Vista Terrace
Portland, OR 97210
]

Notice of Claim No.(s) A63-26436, A63-26437, A63-26438, A63-26434 & A63-26435

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

MICROFILMED
SEP 14 1992

MILLER, NASH, WIENER,
HAGER & CARLSEN

ATTORNEYS AND COUNSELORS AT LAW
3500 U.S. BANCORP TOWER
111 S.W. FIFTH AVENUE
PORTLAND, OREGON 97204-3699
TELEPHONE (503) 224-5858
TELEX 364462 KINGMAR PTL
FACSIMILE (503) 224-0155

SEATTLE OFFICE:
4400 TWO UNION SQUARE
601 UNION STREET
SEATTLE, WASHINGTON 98101-2352
TELEPHONE (206) 622-8484
FACSIMILE (206) 622-7485

ORVAL O. HAGER

March 26, 1992

RECEIVED
MAR 30 1992

Department of Water Resources

Ms. Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau
State of Idaho
Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Subject: Snake River Basin Adjudication (SRBA)
Canyon County, Idaho - Clara P. Stewart
claims

Dear Ms. McCarthy:

Pursuant to your letter to me dated March 20, 1992, I return herewith change of ownership form executed by John W. Goodyear, together with enclosed proof of ownership consisting of death certificate of Clara P. Stewart and deed from John W. Goodyear as foreign personal representative of the estate of Clara P. Stewart to John W. Goodyear, grantee.

Thank you for your assistance in this matter.

Very truly yours,

Orval O. Hager

MICROFILMED

SEP 14 1992

MILLER, NASH, WIENER, HAGER & CARLSEN
ATTORNEYS AND COUNSELORS AT LAW
3500 U.S. BANCORP TOWER
III S. W. FIFTH AVENUE
PORTLAND, OREGON 97204-3699
TELEPHONE (503) 224-5858
TELEX 364462 KINGMAR PTL
FACSIMILE (503) 224-0155

SEATTLE OFFICE
6500 COLUMBIA CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7075
TELEPHONE (206) 622-8484
FACSIMILE (206) 622-7485

CLARK M. MERKLEY

March 22, 1990

CERTIFIED MAIL
RETURN-RECEIPT REQUESTED

Idaho Department of Water
Resources
2735 Airport Way
Boise, Idaho 83705

RECEIVED
MAR 23 1990

Department of Water Resources
Western Regional Office

Subject: Filing of Notices of Claim to Water Rights
for Property Owned by Clara P. Stewart

To Whom It May Concern:

Enclosed is a check in the amount of \$207 to cover
filing fees for five separate notices of claim to water
rights. Each claim and its appropriate fee is listed below:

1. Claim for domestic well - T 4N, R 3W, Sec. 26,
SW 1/4 of NE 1/4 of SW 1/4 - \$25;
2. Claim for stockwater - T 4N, R 3W, Sec. 26, NW 1/4
of SE 1/4 of SW 1/4 - \$25;
3. Claim for stockwater - T 4N, R 3W, Sec. 26, SW 1/4
of NE 1/4 of SW 1/4 - \$25;
4. Claim for irrigation and stockwater - T 4N, R 3W,
Sec. 26, NE 1/4 of SW 1/4, S of Railroad - \$59; and
5. Claim for irrigation and stockwater - T 4N, R 3W,
Sec. 26, NE 1/4 of SW 1/4, N of Railroad - \$73.

Thank you for your assistance in this matter.

Very truly yours,


Clark M. Merkley

MICROFILMED

SEP 14 1991