

RECEIVED

AUG 26 1992

Department of Water Resources
Southern Region Office

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: A71-04022

Date Received: 7/14/1992

Receipt No: 5014901

Received By: ADW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID C. GOODWIN 208-888-3809
Address: 1730 N WHITE OAK WAY
MERIDIAN ID 83642
AND/OR
Name: DIANA K. GOODWIN 208-888-3809
Address: 1730 N WHITE OAK WAY
MERIDIAN ID 83642
AND/OR
Name: DEBBIE E. GOODWIN 208-888-3809
Address: 1730 N WHITE OAK WAY
MERIDIAN ID 83642

2. Date of Priority: AUG 1, 1902

3. Source: GOAT CREEK Trib. to: VALLEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	13E	17		NE	NW		CUSTER

5. Description of diverting works:
ROCK CHECK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	13E	8	SE	SW		IRR	3.0
						Section Acres	3.0
		17	NE	NW		IRR	7.0
						Section Acres	7.0
						Total Acres	10.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

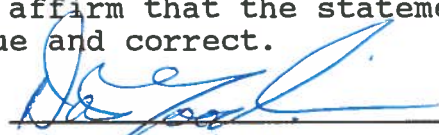
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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):


Debbie Goodwin

Date:

8-17-92

Date:

8-25-92

Debbie Goodwin

8-24-92

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State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of August 19 92

Kate Hoyt
Notary Public

Seal

Residing at Bow, Idaho
My Commission Expires Dec '94



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

27-Aug-1992 13:52

David Goodwin/ Diana Goodwin/ Debbie Goodwin
1730 N White Oak Way
Meridian, ID 83642

RE: **Evidence of Priority**
A71-04022

RESPONSE DEADLINE
October 15, 1992

Dear Claimants:

Please find enclosed your receipt for the filing fee paid for Notice
A71-04022.

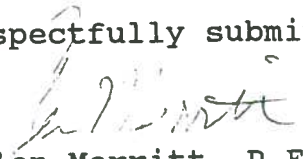
Your Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. 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".

Please submit the required evidence supporting the priority date by **October 15, 1992**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,


Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 17 1993

October 5, 1992

David Goodwin
1730 N. White Oak Way
Meridian, ID 83642

RECEIVED

OCT 07 1992

Department of Water Resources
Southern Region Office

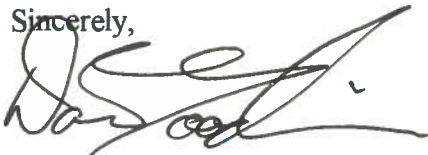
Allen Merritt
Water Rights Supervisor, Southern Region
Department of Water Resources
222 Shoshone St. East,
Twin Falls, ID 83301

Dear Mr. Merritt,

I am submitting the enclosed documents as evidence of our August 1902 water claim in the Stanley basin. This documentation was provided by Jack Furey, attorney in the Challis area and former owner of this property. The first page is the deed to the property providing proof that the following document does indeed pertain to our property. Several pages in on the attached document, I have highlighted an area that is pertinent to the property in question.

Hopefully this will be sufficient.

Sincerely,



David Goodwin

MICROFILMED
MAR 17 1993

THIS INDENTURE, made this 27th day of December in the year of our Lord, One Thousand Nine Hundred and sixty-eight, between LOUIS F. RACINE, JR. and JEAN RACINE, husband and wife, of Pocatello, Idaho, and SHERMAN F. FUREY, JR. and JO ANN FUREY, husband and wife, of Salmon, Idaho and JACK B. FUREY and NANCY J. FUREY of Challis, County of Custer, State of Idaho

C. WILLIAM GOODWIN and KATHRYN GOODWIN, husband and wife,

of Boise, County of Ada, State of Idaho

the parties of the second part:

WITNESSETH: That the said part ies of the first part, for and in consideration of the sum of
TEN AND NO/100 AND OTHER VALUABLE CONSIDERATION- - - - -DOLLARS,

lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever: All those certain lots, pieces or parcels of land situate, lying and being in the County of Custer, State of Idaho, bounded and more particularly described as follows, to-wit:

A fraction of the Northeast Quarter Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) of Section Seventeen (17), and a fraction of the Southeast Quarter Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$) of Section Eight (8), Township Ten (10) North, Range Thirteen (13) East, Boise Meridian, more particularly described as follows, to-wit:

Commencing at the Northerly Quarter corner of said Section 17, run thence S. 85°31' W. 162.0 feet to the point of beginning, and the Northeasterly corner of the tract of land herein described; thence S. 33°28' W. 673.4 feet; thence N. 71°47' W. 597.3 feet to a point in the center of Goat Creek; thence meandering the center of Goat Creek in a Northeasterly direction a distance of 833.0 feet, more or less, to a point which lies N. 56°22' W. from the point of beginning; thence S. 56°22' E. 573.2 feet to the point of beginning; containing 10.1 acres,

TOGETHER with all ditches and ditch rights and water and water rights appurtenant thereto or used in connection therewith.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, and to their heirs and assigns forever and the said parties of the first part, and their heirs and assigns forever warrant the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said parties of the first part, and their heirs and assigns against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

_____ [SEAL]

_____ [SEAL]

[SEAL]

100-1124 [SEAL]

Jack & Sister
Marion J. Fawcett

No. 1363
IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CUSTER.

DAN J. CAVANAGH,

Plaintiff,

vs

Wm. Merritt and Sadie L. Merritt, husband and wife; Garner Warner (same person as Garner W. Warner) and Marty Merritt Warner, husband and wife; Rupert Leslie Niece and Bonda Critchfield Niece, husband and wife; Andrew Critchfield, a single man; Barney Lanier and Nellie Merritt Lanier, husband and wife, and John Brown,

Defendants.

MARJORIE L. SHAW,

Intervenor,

vs

Wm. Merritt and Sadie L. Merritt, husband and wife; Garner Warner (same person as Garner W. Warner) and Marty Merritt Warner, husband and wife; Andrew Critchfield, a single man; Barney Lanier and Nellie Merritt Lanier, husband and wife; Dan J. Cavanagh and Mrs. Dan J. Cavanagh, husband and wife; Geyer M. McVey and Mrs. Geyer M. McVey, husband and wife; and Merton O. McVey and Emma McVey, husband and wife,

Defendants.

and

John H. Thompson and Josephine Thompson, husband and wife; Kathryn H. Huntington, a widow; Ben Darrah and Mattie V. Darrah, husband and wife; M. Bar M. Inc., a corporation; Melvin Chivers and Stella Chivers, husband and wife; William Chivers and Estelle Chivers, husband and wife; Roy Chivers and Elizabeth Chivers, husband and wife; Mike Gini and Emma Gini, husband and wife; Frank Oster and Beatrice Oster, husband and wife; Pete Piva and Louisa Piva, husband and wife; Theodore Cameron, a bachelor; Cosette L. Peters, a widow; William Paul and Lillian Paul, husband and wife; and Arthur Silva and Hattie I. Silva, husband and wife,

Intervenors.

DECREE

This cause came on regularly for trial on the 10th day of October, 1939, Chase A. Clark and John L. Bloem appearing as attorneys for plaintiff, and A. F. James, as attorney for defendants, and Merle L. Drake, J. Wesley Holden and Harry Holden, as attorneys for John H. Thompson and Josephine Thompson, husband and wife; Kathryn H. Huntington, a widow; Ben Darrah and Mattie V. Darrah, husband and wife; M. Bar M. Inc., a corporation; Melvin Chivers and Stella Chivers, husband and wife; William Chivers and Estelle Chivers, husband and wife; Roy Chivers and Elizabeth Chivers, husband and wife; Mike Gini and Emma Gini, husband and wife; Frank Oster and Beatrice Oster, husband and wife; Pete Piva and Louisa Piva, husband and wife; Theodore Cameron, a bachelor; Cosette L. Peters, a widow; William Paul and Lillian Paul, husband and wife; and Arthur Silva and Hattie I. Silva, husband and wife, and Parry & Thoman, as attorneys for Geyer M. McVey and Mrs. Geyer McVey, husband and wife and Merton O. McVey and Emma McVey, husband and wife, and A. F. James, attorney for intervenor, Marjorie L. Shaw, and it appearing to the court that all the parties hereto and all the parties interested in the determination of this action have appeared by counsel, and it appearing to the court that respective counsel had heretofore made and filed their stipulation that the allegations in plaintiff's complaint, defendants' cross-complaint and complaints in intervention, and cross-complaint to com-

1363 Book 4 Page 150
Judgment
Ethel M. Peck
Date 12-4-39 by Barbara Decker

plaint in intervention were true and correct except to those matters as changed by stipulations of the parties filed herein, and by said stipulations it having been agreed that the pleadings should be deemed amended in accordance with said stipulations and the attorneys and all the parties have waived the findings of fact and conclusions of law, and the matter having finally been submitted to the court for its decision, and the stipulations on file herein appearing to be fair and equitable and the matter having been finally submitted to the court for its decision;

It is hereby ORDERED, ADJUDGED AND DECREED:

1. That the pleadings be deemed amended to conform with the stipulations filed herein.

2. That the respective parties to this action are entitled to the uninterrupted use of the flow of the waters of the streams described in the pleadings and stipulations on file herein for their respective lands mentioned and described in said pleadings and stipulations as hereinafter described and appurtenant to said land as hereinafter specified in the following amounts and from the following dates, to-wit: ✓

That Dan J. Cavanagh is the owner of, and entitled to the possession of the following described lands situated in the County of Custer, State of Idaho, to-wit:

TRACT #1

The South Half of the Southeast Quarter of Section 4; the East Half of the Northwest Quarter; the Northeast Quarter of the Southwest Quarter; the West Half of the Northeast Quarter; the Northeast Quarter of the Northeast Quarter, of Section 9; the East Half of the East Half of Section 8; and the West Half of the West Half of Section 9, all in Township 10 north, Range 13, East Boise Meridian, containing 640 acres, more or less.

EXCEPTING THE FOLLOWING:

(A) Commencing at the Section corner of Sections 3, 4, 9 and 10, in Township 10 North, Range 13, East Boise Meridian and running West 409 feet, on section line between sections 4 and 9, to Stake #1, the beginning of this description; thence North 300 feet to corner Stake #2; thence West 501 feet to corner stake #3; thence South 750 feet to corner stake #4; thence East 150 feet to corner stake #5; thence North 450 feet to corner stake #6; thence east along section line between sections 4 and 9, 351 feet, to the point of beginning, containing 5 acres, lying in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9 and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, Twp. 10 N.R. 13 E.B.M.; also the following described lots in the Townsite of Stanley, which is situated in said NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9; Lots 1, 2, 4, 5, 6, 7, 8 and 9, in Block 1; Lots 7, 8, 11 and 12, in Block 2; Lots 1, 2, 3, 4, 5, 6, 10, 11 and 12, in Block 3; Lots 1, 7, 8, 9, 11 and 12 in Block 4; Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, in Block 5; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, in Block 6.

(B) Also, as per judgment in Book 3 of Judgments at page 172, for right of way, described as follows, to-wit: A strip of land 50 feet in width and 217 feet in length, being 25 feet on each side of the following described center line; Beginning at a point 35.5 feet North and 1320 feet West of the SE corner of Sec. 4, Twp. 10, N.R. 13 E.B.M., thence South 81° 13' East, 217 feet to a point 2.4 feet North and 1105.5 feet West of SE corner, Sec. 4, Twp. 10 N.R. 13 E.B.M., containing 0.25 acres, situated in Custer County, Idaho.

TRACT #2.

Lot 10, Sec. 3; the Southeast Quarter of the Southwest Quarter; the North Half of the Southeast Quarter; the Southwest Quarter of the Southeast Quarter, of Section 9; Lots 2, 3 and 6, in Section 10, all in Township 10 North Range 13, East Boise Meridian, containing 339.40 acres, more or less.

EXCEPTING THE FOLLOWING:✓

(A) Beginning at a point 178 feet South of a point 933.5 feet East, more or less, of the NW corner of Section 10, Twp. 10, N.R. 13 E.B.M. said point being corner #1, thence South 8° 30' W. 264 feet to corner #2; thence South 58° 30' East, 638 feet, to corner #3; thence North 10° 51' East, 548 feet, to corner #4; thence North 9° 06' East 225 feet, to corner #5; thence South 75° 36' West, 665 feet, more or less, to corner #1;

(B) Beginning at a point which bears South 3° 20' West 448.75 feet from a point 934.64 feet, more or less, due East of the NW corner of Sec. 10, Twp. 10 N.R. 13 E.B.M. said point being corner #1, thence South 28° 17' East 937.25 feet, to corner #2; thence North 9° 38' East, 507.95 feet to corner #3; thence North 58° 30' West 621.05 feet to corner #1, the place of beginning;

(C) Beginning at a point 1578.84 feet East, more or less, on Section line from SW corner of Sec. 3, Twp. 10, N.R. 13 E.B.M., said point being corner #1, thence North 8° 52' East, 1320 feet, to corner #2; thence West 49.5 feet to corner #3; thence South 8° 52' West, 1320 feet, to corner #4; thence East 49.5 feet to corner #1, the place of beginning;

(D) Beginning at a point 353.39 feet East of Section line of NW corner of Lot 2, Sec. 10, Twp. 10 N.R. 13, E.B.M. thence South 10° 25' West 1237.91 feet to the intersection at this point of the west bank of the Salmon River and the right of way of the Stanley-Banks-Clayton Highway, in Lot 2, of Sec. 10, Twp. 10 N.R. 13, E.B.M., thence in a northeasterly direction along the river bank to meander corner between Sections 3 and 10, thence West 106.6 feet to corner #1, the place of beginning.

(E) Beginning at a point 1653.39 feet, more or less, East on Section line between Section 10 and Section 3, Twp. 10 N.R. 13, E.B.M., said point being corner #1, thence North 7° 55' East, 200 feet, to corner #2; thence East 87 feet, to West bank of Salmon River; thence Southerly along bank to meander corner between Sections 3 and 10; thence West 106.6 feet to point of beginning, said tract lying wholly in Lot 10, Sec. 3, Twp. 10 N.R. 13 E.B.M.

TRACT #3

The Northeast Quarter of the Northwest Quarter; the West Half of the Northeast Quarter; and the Northwest Quarter of the Southeast Quarter, of Section 8, Township 10, North Range 13, East Boise Meridian, in Idaho, containing 160 acres, more or less.

TRACT #4

The South Half of the Southwest Quarter of Section 4; and the East Half of the Southeast Quarter, of Section 5 in Township 10, North, Range 13, East Boise Meridian, in Idaho, containing 160 acres, more or less.

The North Half of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter; the Northwest Quarter of the Northeast Quarter; the Northwest Quarter of the Southeast Quarter; and the East Half of the Southeast Quarter, of Section 16; Lot 6 of Section 15; and the East Half of the Northeast Quarter, and the East Half of the Southeast Quarter of Section 17, all in Township 10 North, Range 13, East Boise Meridian, containing 470.53 acres, more or less.

And appurtenant to said land he is entitled to 240 miner's inches or (4.8 cubic feet per second) of time of the waters of Valley Creek with date of priority May 1, 1939, and with points of diversion from said Valley Creek at a point located in approximately the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5 Township 10 North Range 13 E.B.M., and a point located in approximately the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6 Township 10 North, Range 13, E.B.M.

And, he is also entitled to 100 miner's inches or (2.0 cubic feet per second) of time of the waters of Meadow Creek with date of priority June 1, 1910; and 320 miner's inches or (6.4 cubic feet per second) of time of the waters of Meadow Creek with date of priority July 1, 1910, with points of diversion from said Meadow Creek, at a point approximately South 49° 43' West 2733 feet from quarter corner common to Sections 17 and 20 in Township 10 North Range 13 E.B.M., and also with point of diversion approximately North 71° 55' West 1458 feet from quarter corner common to Sections 16, 17, 20 and 21, Township 10 North Range 13 E.B.M.;

And that he is entitled to 320 miner's inches or (6.4 cubic feet per second) of time of the waters of Goat Creek with date of priority May 1, 1902; and that he is entitled to 320 miner's inches (or 6.4 cubic feet per second) of time of the waters of Goat Creek with date of priority June 1, 1902; and that he is entitled to 160 miner's inches or (3.2 cubic feet per second) of time of the waters of Goat Creek with date of priority July 1, 1902; and that he is entitled to 400 miner's inches or (8.0 cubic feet per second) of time of the waters of Goat Creek with date of priority August 1, 1902; and that he is entitled to 320 miner's inches or (6.4 cubic feet per second) of time of the waters of Goat Creek with date of priority September 1, 1902; with points of diversion from said Goat Creek at a point located approximately North 26° 14' East 1313 feet from quarter corner common to Sections 8 and 17 Township 10 North Range 13 E.B.M. and also with point of diversion South 89° 45' West 900 feet from the quarter corner common to Sections 8 and 9 Township 10 North Range 13 E.B.M., and also with points of diversion approximately South 55° 34' West 1939 feet from quarter corner common to Sections 8 and 17 Township 10 North Range 13 E.B.M. and also with points of diversion approximately North 85° 35' West 1219 feet from quarter corner common to Sections 8 and 9 Township 10 North Range 13 E.B.M., also point of diversion from said creek approximately South 8° 3' East 3413 feet from quarter corner common to Sections 5 and 8 Township 10 North Range 13 E.B.M.

That he, Dan J. Cavanagh, plaintiff herein, is entitled to 160 miner's inches or (3.2 cubic feet per second) of time of the waters of Iron Creek with date of priority May 1, 1902, and he is also entitled to 400 miner's inches or (8.0 cubic feet per second) of time of the waters of said Iron Creek with date of priority June 1, 1902; that he is also entitled to 600 miner's inches or 12.0 cubic feet per second of time of the waters of said Iron Creek with date of priority July 1, 1902, and with points of diversion from said Iron Creek for said rights at approximately North 33° 27' East 1450 feet from quarter corner common to Sections 5 and 8 Township 10 North Range 13 E.B.M., and also points of diversion from said creek at a point approximately South 61° 47' West 1836 feet from quarter corner common to sections 5 and 8 Township 10 North Range 13 E.B.M. All of said rights being appurtenant to the lands as hereinbefore described.

That the defendants, Wm. Merritt and Sadie F. Merritt are the owners of, and entitled to the possession of the following described land situated in the County of Custer, State of Idaho, to-wit:

⁸⁰ ⁴⁰ ⁷¹⁻⁵⁰⁴³ ^{SADIE MERRITT} ^{Filing = NW¹/₄NE¹/₄, NE¹/₄NW¹/₄, & SE¹/₄NW¹/₄}
W¹/₂ SE¹/₄, and NE¹/₄SW¹/₄, Section 17, Township 10 North Range 13 E.B.M.

And appurtenant to said land they are entitled to 80 miner's inches or 1.6 cubic feet per second of time of the waters of Meadow Creek with date of priority May 1, 1910 and 160 miner's inches or 3.2 cubic feet per second of time of the waters of Meadow Creek with date of priority July 1, 1910, and with points of diversion near the center of the SW¹/₄ of the NW¹/₄ of Section 20, and in the NW¹/₄ of the NE¹/₄ of Section 20, Township 10 North Range 13 E.B.M.

And appurtenant to said land they are entitled to 40 miner's inches or .8 cubic feet per second of time of the waters of Goat Creek with date of priority May 1, 1902, and with points of diversion from what is known as the Merritt-Cavanagh-Lanier ditch in the SW¹/₄ of the NW¹/₄ of Section 17, Township 10 North Range 13 E.B.M.

That the defendants, Garner Warner (same person as Garner W. Warner) and Sadie Merritt Warner, are the owners of, and entitled to the possession of the following described land situated in the County of Custer, State of Idaho, to-wit:

S¹/₂SW¹/₄ Section 17, NW¹/₄NE¹/₄, NE¹/₄NW¹/₄, Section 20, Township 10 North Range 13 E.B.M.

And appurtenant to said lands they are entitled to 25 miner's inches or .5 cubic feet per second of time of the waters of Meadow Creek with date of priority May 1, 1910, and 100 miner's inches or 2.0 cubic feet per second of time of the waters of Meadow Creek with date of priority July 1, 1910, with points of diversion near the center of the SW¹/₄ of the NW¹/₄ of Section 20, and in the NW¹/₄ of the NE¹/₄ of Section 20, Township 10 North Range 13 E.B.M; and in SW¹/₄NE¹/₄, NW¹/₄NE¹/₄, and in SE¹/₄NW¹/₄ all in Sec. 20 Twp. 10 N. R. 13 E.B.M.

That the defendants, Barney Lanier and Nellie Merritt Lanier are the owners of and entitled to the possession of the following described land situated in the County of Custer, State of Idaho, to-wit:

SW¹/₄NE¹/₄, Section 17, Township 10 North Range 13 E.B.M., SE¹/₄NW¹/₄, S¹/₂NW¹/₄NE¹/₄, S¹/₂NE¹/₄NW¹/₄, Sec. 17, Township 10 North Range 13 E.B.M.

And appurtenant to said lands they are entitled to 45 miner's inches or .9 cubic feet per second of time of the waters of Goat Creek with date of priority May 1, 1902, and 75 miner's inches or 1.5 cubic feet per second of time of the waters of Goat Creek with date of priority June 1, 1902, and 120 miner's inches or 2.4 cubic feet per second of time of the waters of Goat Creek with date of priority August 1, 1902, and with two points of diversion, one of which is the Merritt-Cavanagh-Lanier diversion point above described, and the other shortly below said diversion point, both, however, in the SW¹/₄ of the NW¹/₄ of Section 17 Twp. 10 N. R. 13 E.B.M.

That the defendant, Andrew Critchfield is the owner of and entitled to the possession

(in here - 10/11/1911)
Several pages not applicable
to Goat Creek
this last page

the following described land situated in Custer County, State of Idaho, to-wit:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 10 N.R. 13 E.B.M.

And appurtenant to said lands he is entitled to 25 miner's inches or .5 cubic feet per second of time of the waters of Goat Creek with date of priority May 1, 1902 and 15 miner's inches or .3 cubic feet per second of time of the waters of Goat Creek with date of priority June 1, 1902, and 100 miner's inches or 2.0 cubic feet per second of time of the waters of Goat Creek with date of priority August 1, 1902, and with points of diversion from Goat Creek near the south central part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8, Township 10 North Range 13 E.B.M. and southwest of such diversion point located in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 17, Township 10 North Range 13 E.B.M.

And appurtenant to said lands he is entitled to 100 miner's inches or 2.0 cubic feet per second of time of the waters of Iron Creek with date of priority June 1, 1902, and with points of diversion from Iron Creek in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7, Township 10 North Range 13 E.B.M.

thirty-eight hundredths chains to corner No. 4; thence, south sixteen degrees fifteen minutes east four and seventy-eight hundredths chains to corner No. 5; thence, south eighty-one degrees forty-one minutes west twenty-two and one-hundredths chains to corner No. 6; thence north nineteen degrees fifty-three minutes west eight and thirty-five hundredths chains to corner No. 1, the place of beginning, containing one hundred fifty-nine and eleven hundredths acres according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General;

And appurtenant to said lands they are entitled to 240 miner's inches (or 4.8 cubic feet per second of time) of the waters of Valley Creek, with date of priority May 1, 1904, and with point of diversion from said Valley Creek at a point located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, Township 11 North, Range 12, E.B.M. }

Arthur Silva and Hattie L. Silva are the owners of and entitled to the possession of the following described lands, situated in Custer County, State of Idaho, to-wit:

H. E. Survey No. 273, embracing a portion of Sections twenty-four and twenty-five in township eleven north of Range twelve east of the Boise Meridian, Idaho, more particularly bounded and described as follows: Beginning at corner No. 1, from which the quarter corner to said Sections twenty-four and twenty-five, bears east nine and fifty-six hundredths chains distant; thence, north sixteen degrees twelve minutes west four and seventy-seven hundredths chains to corner No. 2; thence north twenty-three degrees thirty-six minutes east forty-eight and thirty-four hundredths chains to corner No. 3; thence north eighty-four degrees twelve minutes east eight and forty-nine hundredths chains to corner No. 4; thence south five degrees twenty-five minutes east forty-nine and ninety-three hundredths chains to corner No. 5; thence south five degrees twenty-five minutes east ten and five-hundredths chains to corner No. 6; thence south fifty six degrees fifty nine minutes west twenty-nine and thirty-one hundredths chains to corner No. 7; thence north sixteen degrees twelve minutes west twenty-seven and four-hundredths chains to corner No. 1, the place of beginning, containing one hundred fifty-eight and twenty-seven hundredths acres according to the Official Plat of the Survey of the said land, returned to the General Land Office by the Surveyor General.

And appurtenant to said land, they are entitled to 240 miner's inches (or 4.8 cubic feet per second of time) of the waters of Valley Creek, with date of priority May 1, 1915, and with point of diversion from said Valley Creek at a point located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 11 North, Range 12, E.B.M.

It is further ADJUDGED, and DECREED, that the water rights as hereinbefore set forth are established, quieted and confirmed, and that all parties to this action, and all persons claiming under them, their attorneys, agents, servants and employees are hereby perpetually restrained, prohibited and enjoined from interfering with the rights awarded to the others as this decree provides.

It is further ADJUDGED and DECREED, that the water decreed to the respective tracts of land of the respective parties to this action by this decree has been applied to and used upon the respective tracts of land for the irrigation thereof from and since the respective dates of priority mentioned in this decree, and that the water decreed to the respective tracts of land described in this decree is necessary for the successful irrigation of said respective tracts of land.

It is further ORDERED ADJUDGED AND DECREED, that the Court retain jurisdiction of this cause to correct any typographical errors in descriptions, points of diversion of dates of priority for a period of one year, and that at any time within said period any party to this action may apply to the Court or Judge thereof for a correction of such error.

Dated this 18th day of January, 1940.

Guy Stevens
Judge of the District Court.

Filed this 18th day of Jan., at 4 P. M., A. D. 1940.

John Boyd
Clerk

Leah B. Burdett
Deputy

$$\frac{1.91}{100}$$

25  10

22	5/1/1902	X, 5 cf_s	=	0.01 , 01
23	6/1/1902	X, 3 cf_s	=	0.004 , 004
24	8/1/1902	2.0 cf_s	=	0.02 , 027
2.8 cf_s				0.034 cf_s
11				0.03 , 041
14000.				

Old (D) Number -

1 - 1730 N WHITE OAK WAY
2 -
3 -

1 - 1730 N WHITE OAK WAY
2 -

City- MERIDIAN
Phone - 208-888-3809
1 - 1730 N WHITE OAK WAY

1 - RT 2 BOX 57
2 -
3 -

City- GOODING
Phone - 208-000-0000
1 - RT 2 BOX 57
2 -
3 -
City- GOODING
Phone - 208-000-0000

Tract	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion
+	-	-	-	-	-	-	+

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	-----------	----------------	------------------

0.200

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.200		0.0	

Water right number - R71-04022

Prefix Translation: RESEARCH

Tract	Sec	Tract	Lot	Acres	Place of Use	Description	County
-------	-----	-------	-----	-------	--------------	-------------	--------

(37)	CUSTER
(37)	CUSTER

Total Acres: 8.8

+ - - Diversion Means - ROCK CHECK

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

[illegible]

EXP RIGHT NOS. 71-00006, 71-00007, 71-00016, 71-00019A, 71-00019B, 71-00020A, 71-00020B, 71-00021A, 71-00021B, 71-04022, 71-04053, 71-10190, 71-10644, 71-10853 & 71-10854 ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

	No Old Water Right Numbers Found	Old Water Right Numbers	+ - +
	- - - - -	- - - - -	- - - - -

Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - Decree Plaintiff	- - +
+ - - - Decree Defendant	- - +
+ - Decree Date	- - + 00/00/0000

[illegible]

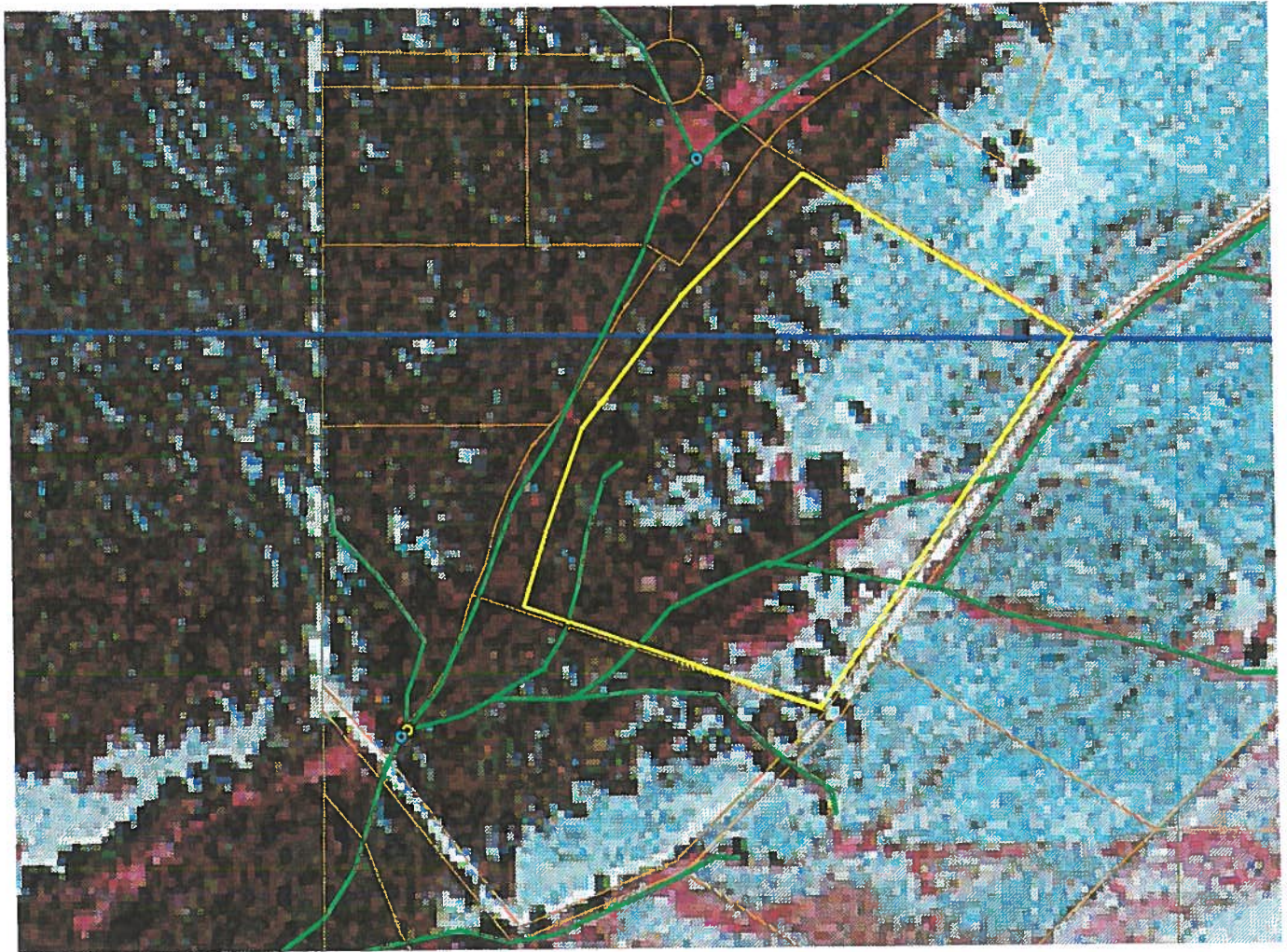
+ - - Audit Fields - - + 07/17/98 DJONES

[illegible]

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-	
Claim Received Date	- 08/27/1992	Last Amended Date	- 00/00/0000	Temporary Right	-	P
		Receipt Number	- S014901	Water District	-	
		PDU Ownership Flag	- Y	Federal/State Indicator	-	S
		Name Connector	- AND/OR	Presumption Flag	-	
				Notice of Error Flag	-	

IDAHO DEPARTMENT OF WATER RESOURCES

71-04022



660 0 660 Feet

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  STREAMS AND DITCHES
-  SECTION LINES
-  QUARTER/QUARTER LINES
-  TAX LOT (PROPERTY) LINES



GIS REPRESENTATION OF CLAIM RECOMMENDATION
1987 NAPP PHOTOGRAPHY
DATA ENTRY BY: DOUGLAS JONES
DATA ENTERED: 7/8/97

TRANSFER NUMBER _____

CLAIM NUMBERS 21-04022DATE 7/9/98

HOMESTEAD ENTRY NO. _____

AGENT DJCLAIMED ACRE TOTAL 10.0GEOGRAPHIC INFO ACRES 8.8

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	10N	13E	8												3				
GIS															1.9				1.9
RECOM																			
CLAIM	10N	13E	17					7											
GIS								6.9											6.9
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B71-DBPOD.SHP

NOS DESCRIPTION

137 NWNENW 517

B71-DBPOU.SHP

SHAPE NOS

225

DBF TABLES UPDATED

B71-DBPOD.DBF ✓

B71-DBPOU.DBF

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS 71-04022

DATE: 7/9, 1998

REVIEWED BY [Signature]

STANLEY BASIN SOIL REVIEW

SOIL TYPE	OPTIMUM ROTATION	BORDER EFF	BORDER CFS/AC	FURROW EFF	FURROW CFS/AC	MAD	PF	BORDER / FURROW
AM1	4.00	3.5	0.30	22.3	0.05	1.00	1.14	6.09
BG1	5.00	5.8	0.19	34.3	0.03	1.32	1.13	5.99
CNB	7.00	7.8	0.14	47.3	0.02	1.82	1.11	6.20
GO1	14.66	25.5	0.04	24.6	0.04	3.65	1.07	0.96
LA4	4.00	3.7	0.30	23.6	0.05	1.06	1.14	6.46
PY1	5.66	6.3	0.17	37.9	0.03	1.46	1.12	5.98
RD1	5.66	6.3	0.17	37.9	0.03	1.46	1.12	5.98
RP1	4.33	6.9	0.16	35.2	0.03	1.13	1.13	5.18
SN1	2.66	2.47	0.45	15.4	0.07	0.69	1.14	6.30
ST1	3.33	3.2	0.36	20.3	0.05	0.91	1.14	6.65
TN1	4.66	4.2	0.26	26.9	0.04	1.21	1.13	6.44
TP4	9.33	9.5	0.11	60.0	0.02	2.31	1.10	6.24
WG1	2.66	2.4	0.45	14.9	0.07	0.67	1.14	6.12
WV1	13.00	17.4	0.06	50.3	0.02	3.24	1.08	2.91

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL / ROTATION (chart)	ACTUAL / ROTATION (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
AM1	4.00 /	12	* 4.7	* .3	= .47 CFS
ST1	3.33 /	12	* 4.1	* .36	= .41 CFS
	/		*	*	= CFS
	/		*	*	= CFS

TOTAL ACRES 8.8

DECREED RATE =
CLAIMED DIVERSION RATE = .2
ORIGINAL HUBBLE RATE =
MEASURED DIVERSION RATE =

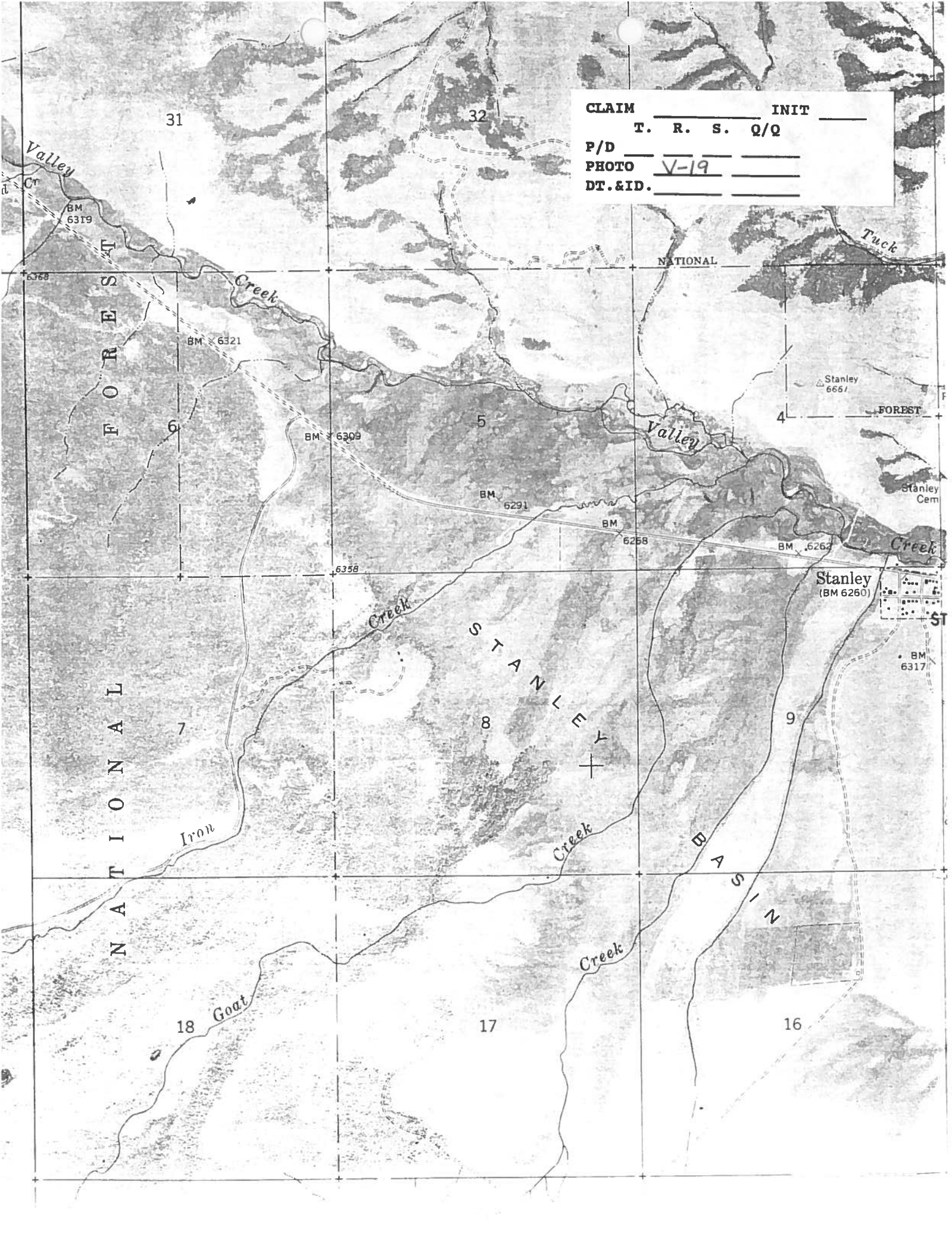
CLAIM _____ INIT _____

T. R. S. Q/Q

P/D _____

PHOTO V-19 _____

DT. & ID. _____



CLAIM NUMBER: A71-04022

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID C. GOODWIN	08/01/1902	IRRIGATION	04-15 10-15	0.20 CFS	
C	DIANA K. GOODWIN				0.20 CFS	
C	DEBBIE E. GOODWIN					
				TOTAL DIVERSION:		

TOTAL DIVERSION: 0.20 CFS

Water Source:	GOAT CREEK	Tributary to:	VALLEY CREEK	Stage:	STATUTORY CLAIM
Point(s) of Diversion:	T10N R13E S17		NEW	CUSTER County	

Point(s) of Diversion:

Place of use Legal Description for: IRRIGATION

[illegible]

POW County: CUSTER

Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number:	Field Inspection Flag: Presumption Flag:

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C C. WILLIAM GOODWIN	08/01/1902 IRRIGATION	04-15 10-15	0.20 CFS			
C KATHRYN GOODWIN		TOTAL DIVERSION:	0.20 CFS			

Water Source: GOAT CREEK Tributary to: VALLEY CREEK Stage: STATUTORY CLAIM

Point(s) of Diversion:		T10N R13E S17		NE NW	
Place of use Legal Description for: IRRIGATION					
		NW		SE	
		SW		SW	
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Pou County: CUSTER

Other Water Rights Listing Overlapping Place(s) of use:

71-00019	71-00020	71-00021	71-00022	71-00023	71-00024	71-00025	71-04007	71-04053	71-04056
71-07063									

Dates: App. Received: Priority Date: 08/01/1902
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 01/28/86 05/28/88 CONVERT