

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 37-21834
Date Received: 7/10/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NANCY GOVE Phone: (208)788-3520
10664 HWY 75
BELLEVUE ID 83313

JAY GOVE Phone: (208)788-3520
10664 HWY 75
BELLEVUE ID 83313

2. Date of Priority: 06/01/1887

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	36	SW NW	BLAINE	

5. Description of diverting works:

VIA DISTRICT CANAL #45

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	1.36	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	25	NE	NW	IRRIGATION	24.9
Section Acres						24.9
Total Acres						24.9

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

SPLIT INTO 37-0102A & 37-0102B BY AMENDED TRANS. 259.
THE CLAIMANT HAS NOW JOINED THE TWO WR PARTS BACK TOGETHER.
SEE THE ATTACHMENTS DESCRIBING THE WR HISTORY.
THE PROPERTY IS OWNED BY JOHN W. BROWN PROPERTIES, A JOINT VENTURE (PARTNERSHIP),
JOHN SWEET--MANAGER.
P/U IS 144.5 ACRES, SENW-- 33.25 ACRES, NENW-- 26.85 ACRES.
***** OWNERSHIP CHANGE MADE IN 7/27/95 RESULTED IN SPLIT.
A37-00102A (6.34 CFS) BELONGS TO BROWN PROPERTIES WITH 114.9 ACRES. A37-00102B
(1.66 CFS) BELONGS TO STENNETT/GRANT WITH 29.9 ACRES. WARRANTY DEED INCLUDED.
***** CHANGE OF OWNERSHIP - SPLIT RIGHT ***** THE ORIGINAL RIGHT
WAS SPLIT BASED UPON FORM 42-1409-(7) SIGNED BY THE ORIGINAL OWNER AND THE CURRENT
OWNER. THE FORM IDENTIFIED 124 INCHES BEING APPURTENANT TO THE PORTION OF PROPERTY
SOLD. THE ATTACHED WARRANTY DEED IDENTIFIED THE ACRES AS THOSE IN THE S1/2 OF THE
SW1/4 OF SEC 25. CHANGE MADE ON 2-27-96 BY KKC *****

This right is a split from former right 37-102C.

15. Basis of Claim: Decreed

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

RECEIVED

AUG 08 2005

DEPT. OF WATER RESOURCES
SOUTHERN 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
37-102C					

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 Brown Property's
 1605 5th Ave. N.

4. New Owner/Claimant(s)

Seattle Wash 98109

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

New Mailing Address

Jay or Nancy Gove

City, State and ZIP Code

10664 Hwy 75 Bellevue, Id.

New Telephone Number

208 788-3520

83313

5. Date you acquired the property

July 26 1989

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		<i>See Attached Sheet</i>
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)
(include title if applicable)

Jay Gove

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

For Office Use Only

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

WARRANTY DEED

For Value Received

An undivided one-third interest:

DOROTHEA S. DOWD, MARIE S. HILL, and JOHN W. SWEET

An undivided two-thirds interest:

DOROTHEA S. DOWD, as to an undivided 1/18 interest
 ROY B. DOWD, as to an undivided 1/18 interest
 NANCY D. SHORTRIDGE, as to an undivided 1/18 interest
 MYRON B. DOWD, JR., as to an undivided 1/18 interest
 WILLIAM F. DOWD, as to an undivided 1/18 interest
 SALLY D. COUTERNO, as to an undivided 1/18 interest

JOHN W. SWEET, as to an undivided 1/9 interest
 JOHN R. SWEET, as to an undivided 1/9 interest
 ELIZABETH S. LUTHY, as to an undivided 1/9 interest

MARIE S. HILL, as to an undivided 1/6 interest
 GARY G. HILL, as to an undivided 1/6 interest

BLAINE CO. REQUEST
 OF: Sawtooth Title Co., Inc.
 '89 JUL 26 PM 4 33
 MARY GREEN, CLERK
 FEES \$ 1500

307955

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

JAY LEE GOVE AND NANCY GOVE, husband and wife

whose address is: P.O. Box 2819 Ketchum, ID 83340

Hereinafter called the grantee, the following described premises, in Blaine County, Idaho, to-wit:

Township 1 North, Range 18 East, Boise Meridian, Blaine County, Idaho,

Section 25: All that portion of the E1/4NW1/4 lying West of State Highway 75, EXCEPT BEGINNING at the Northwest corner of the NE1/4NW1/4, the POINT OF BEGINNING

THENCE South 0°39'32" East for 2632.12 feet;

THENCE North 89°24'24" East 24.07 feet;

THENCE North 17°50'00" East 7.13 feet;

THENCE North 08°26'00" East 184.00 feet;

THENCE North 12°36'00" West 134.30 feet;

THENCE North 27°49'00" East 155.60 feet;

THENCE North 14°12'00" East 536.00 feet;

THENCE North 04°14'00" West 288.80 feet;

THENCE North 20°06'00" East 243.50 feet;

THENCE North 01°50'00" East 458.00 feet;

THENCE North 10°43'00" East 163.00 feet;

THENCE North 21°44'00" East 232.40 feet;

THENCE North 14°40'00" West 171.10 feet;

THENCE North 05°18'00" West 142.97 feet;

THENCE North 89°27'07" East 388.62 feet back to POINT OF BEGINNING.

Together with the following water rights

Portion of 37-00102 Being 1.36 CFS (67.8) Miner inches

Portion of 37-07064 Being .36 CFS (18 Miner inches)

JWS

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: 7/20/89

<u>Dorothea S. Dowd</u>		<u>Roy B. Dowd</u>	by
Dorothea S. Dowd		Dorothea S. Dowd as his attorney in fact	
<u>Nancy D. Shortridge</u>	by	<u>Roy B. Dowd</u>	by
Nancy D. Shortridge		Dorothea S. Dowd as his attorney in fact	
<u>William F. Dowd</u>	by	<u>Myron B. Dowd</u>	by
William F. Dowd		Sally D. Conterno as her attorney in fact	
<u>John W. Sweet</u>		<u>Sally D. Conterno</u>	
John W. Sweet		John R. Sweet by John W. Sweet	
<u>Elizabeth S. Luthy</u>	by John W. Sweet	John R. Sweet as his attorney in fact.	
Elizabeth S. Luthy		<u>Marig S. Hill</u>	
as her attorney in fact		Marig S. Hill	
<u>Gary G. Hill</u>	by Gary G. Hill	<u>more & all</u>	
as his attorney in fact			

RECEIVED

AUG 08 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

8-8-06

37-102C.

3.86 cfs for 70.3 ac

Gove purchased all of the remaining
Ground in Sec 25 NE NW this would recognize
24.9 acres for Gove

Gove also owns part of the SE NW which
shows 5.6 ac. Those acres appear to be entirely
within the P/U for the Base right.

The warranty deed specifies 1.36 cfs
as appurtenant to the Gove Property.

This claim should be split as follows

GOVE
24.9 ac & 1.36 cfs

John Brown Prop
45.4 ac and 2.50 cfs.

Gove actually irrigates a small portion of the
SE NW but does not irrigate a full 24.9 ac in the
NE NW, therefore an acre shift can be recognized
in the recommendation.

37-21833

37-21834

Kelly L. Christensen

MEMORANDUM

To: 37-7064D & 37-21834
From: Denise Maline
Date: June 9, 2015 
Subject: Address correction / update

IDWR received a phone call from water right holder Jay Gove on June 4, 2015, inquiring about his address in our records. He was alerted to ask the department, after receiving correspondence from Galena Ground Water District.

After further research in our database, it was discovered that our records showed 2 different addresses for Mr. Gove and his wife, Nancy. Mr. Gove indicated that the P.O. Box in Ketchum was not a current address for them.

In looking at the water right files, it appeared that water right record 37-7064D did not get updated accordingly to show their current address in Bellevue. This information was found & verified in water right record 37-21834.

37-7064D has been updated accordingly and copies were sent to Mr. & Mrs. Gove.

11/18/2006

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

RIGHT NUMBER: 37-21834
NAME AND ADDRESS: NANCY GOVE
10664 HWY 75
BELLEVUE ID 83313

JAY GOVE
10664 HWY 75
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 1.360 CFS
PRIORITY DATE: 06/01/1887
POINT OF DIVERSION:

T02N R18E S36 SWNW Within BLAINE County
Water diverted from Headgate #45 delivered through District Canal.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.360 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S25	NENW	17.50	T01N R18E S25	SENE	0.50
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18 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 18 acres in a single irrigation season. Combined Right Nos.: 37-21834 and 37-7064D.

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 - Decreed

This right is a split from former right 37-102C.



Idaho Department of Water Resources

SRBA Recommendation:

37-21834

Legend

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



Blaine County
IDWR Basin 37



R18E

T01N



0 0.1 0.2 Miles

Prepared by N. Erickson
On Saturday, November 18, 2006
2006 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 8, 2006

NANCY AND JAY GOVE
10664 HWY 75
BELLEVUE ID 83313

RE: SRBA Claim 37-102C

Dear Mr. And Mrs. Gove,

Pursuant to the notification of ownership change to the above property to which this adjudication claim is appurtenant, the department has split the original claim. Your portion has been renumbered to 37-21834, while the portion left in the John B Brown Properties Partnership was renumbered 37-21833.

Enclosed please find your copy of the claim. Review this document and should you have any questions or corrections, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carrie Hahn', is written over a horizontal line.

Carrie Hahn
Clerk

enc.