

04/13/2004

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

RIGHT NUMBER: 37-608B

NAME AND ADDRESS: BERTHA SEVERE
PO BOX 94
GOODING ID 83330

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.098 CFS

PRIORITY DATE: 04/15/1887

POINT OF DIVERSION:

T05S R15E S28 SENW Within GOODING County
T05S R15E S29 SWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.098 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T05S R15E S29 SWSE 11.0

11 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-607B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 11 ACRES IN A SINGLE IRRIGATION
SEASON.

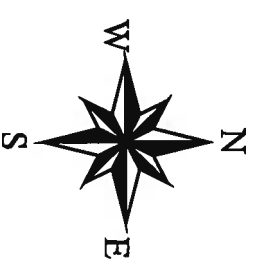
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: Decreed

37-607B & 37-608B

**T05S R15E
S29**



Map prepared by: Carter Fritschle
Date prepared: 04/13/04
1987-1988 NAPP photography
Idaho Department of Water Resources

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 37-608B
Date Received: 4/13/1988
Receipt No: S000073
Received By:

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

1. Name of Claimant(s)

BERTHA SEVERE Phone: (208)934-8293
PO BOX 94
GOODING ID USA 83330

2. Date of Priority: 04/15/1887

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
05S	15E	28	SE NW	GOODING	
		29	SW SE	~~LINCOLN~~	
		29	SE SE	~~LINCOLN~~	

5. Description of diverting works:

SILK-GOODING #32 DITCH & PUMP IN BIG WOOD RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.098	

7. Total Quantity Appropriated is:
0.098 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
05S	15E	29	SW SE	IRRIGATION	11
				Section Acres	11
				Total Acres	11

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

TRANS. 2406.
OF THE 13 ACRES OWNED, 11 ACRES ARE IRRIGATED.

*The Pump is on the Right side of the lane as a Person
Drives in.*

15. Basis of Claim: Decreed

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): Bertha Severe Date: 4-9-04

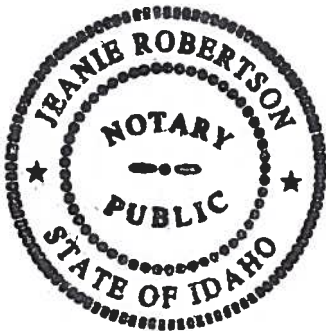
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 9th. day of
April 20 04

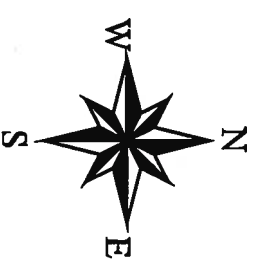
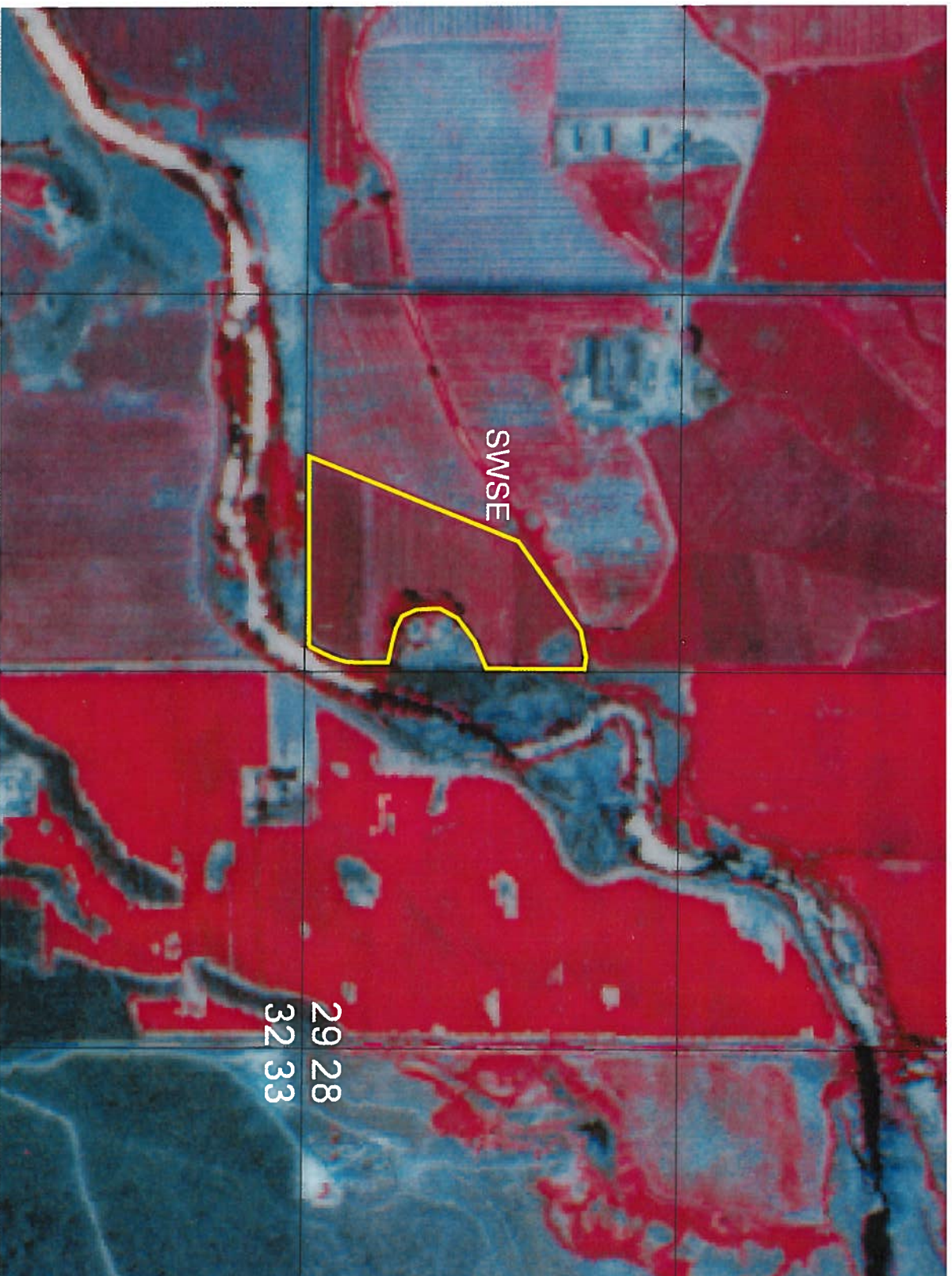
Jeanie Robertson
Notary Public

Residing at Twin Falls, Id.
My commission Expires 9-23-06



37-607B & 37-608B + 37-10016 ?

**T05S R15E
S29**



POD
POU
Lined
in SDE



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 37-608B
Date Received: 4/13/1988
Receipt No: S000073
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BERTHA SEVERE Phone: (208)934-8293
PO BOX 94
GOODING ID 83330

2. Date of Priority: 04/15/1887

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
05S	15E	28	SE NW	GOODING	

5. Description of diverting works:

SILK-GOODING #32 HEADGATE, DITCH TO GRAVITY IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.098	

7. Total Quantity Appropriated is:
0.098 C.F.S. and/or 33 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	15E	29	SW	SE	IRRIGATION	11
					Section Acres	11
					Total Acres	11

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

TRANS. 2406.

OF THE 13 ACRES OWNED, 11 ACRES ARE IRRIGATED.

15. Basis of Claim: Decreed



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 6, 2004

BERTHA SEVERE
PO BOX 94
GOODING ID 83330

Re: SRBA Claim(s) 37-607B, 37-608B

Dear Ms. Severe:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Trish Fawcett', written over a horizontal line.

Trish Fawcett
Technical Records Specialist

Enc.

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

RECEIVED
APR 06 2004
 Department 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
37-607B					
37-608B					

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)

L R Severe
P.O.B 94

4. New Owner/Claimant(s)

Gooding Idaho 83330

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

Bertha Severe

City, State and ZIP Code

P.O.B 94 Gooding Idaho 8330

New Telephone Number

() 208-934-8293

5. Date you acquired the property

11-4-94

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
COOPERATIVE CENTER FOR HEALTH STATISTICS

CERTIFICATE OF DEATH

DATE FILED: APRIL 28, 1994

STATE FILE NUMBER: 94-02434

DECEDENT: LAWRENCE R. SEVERE

DATE OF DEATH: APR. 23, 1994

PLACE OF DEATH: GOODING, IDAHO

DATE OF BIRTH: OCT. 10, 1914

PLACE OF BIRTH: IDAHO

AGE: 79 YEARS

SEX: MALE

VETERAN? NO

MARITAL STATUS: WIDOWED

SOCIAL SECURITY NUMBER: 518-24-6968 RESIDENCE: GOODING, IDAHO

FATHER: HERMAN HARRISON SEVERE

FATHERS BIRTHPLACE: UTAH

MOTHER (MAIDEN): OVVIE ANN KOONCE

MOTHERS BIRTHPLACE: NORTH CAROLINA

MORTUARY: DEMARAY FUNERAL SERVICE

MORTICIAN: DOWELL DEMARAY

GOODING, IDAHO

DISPOSITION: CREMATION

CERTIFYING PHYSICIAN: DOUGLAS O. SMITH JR., MD

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

CHF
ASHD20 HOURS
YEARS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

RENAL FAILURE - COPD DIABETES

I certify that this is a true and correct reproduction or abstract of an official
record filed with the IDAHO COOPERATIVE CENTER FOR HEALTH STATISTICS.

MAY 10, 1994

DATE ISSUED: _____

JANE S. SMITH
State Registrar

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by BERTHA SEVERE, as personal representative of the estate of LAWRENCE RAYMOND SEVERE, SR., deceased, Grantor, to BERTHA SEVERE, Grantee, whose address is Post Office Box 94, Gooding, ID 83330.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. 22864, in Gooding County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantee the following described real property in Gooding County, Idaho:

See Exhibit A.

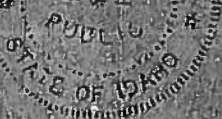
with all appurtenances.

EXECUTED this 4th day of November, 1994.

Bertha Severe
Personal Representative of the
estate of LAWRENCE RAYMOND SEVERE
SR. deceased.

STATE OF IDAHO)
County of Gooding)

On the 4th day of November, 1994, before me, Linda McLaughlin, a notary public, personally appeared BERTHA SEVERE, known to me to be the person whose name is subscribed to the within instrument, as personal representative of the estate of LAWRENCE RAYMOND SEVERE, SR., and acknowledged to me that she executed the same as such personal representative.



Linda McLaughlin
NOTARY PUBLIC FOR IDAHO
Residing at Hagerman, ID
Commission Expires May 19, 1995

PERSONAL REPRESENTATIVE DEED, Page 1, Final.

SECTION 29

EXHIBIT A

TWP. 5

RANGE 15

TAX No 15

ACRES

RECORD OF TAX NUMBERS
GOODING COUNTY, IDAHO

DESCRIPTION OF PROPERTY

Township 5 South, Range 15 East of the Boise Meridian

Section 29: Part of the SW 1/4 described as follows

Beginning at the South quarter corner of Section 29;

Thence S $89^{\circ} 48' 46''$ E, along the South boundary of said
Section 29, 606.75 feet to the true point of beginning;

Thence N $19^{\circ} 26' 05''$ E, 820.05 feet;

Thence N $58^{\circ} 17'$ E, 89.37 feet;

Thence N $51^{\circ} 12'$ E, 300.0 feet;

Thence S $70^{\circ} 48'$ E, 140.0 feet more or less to the East bound
of said SW 1/4;

Thence S $0^{\circ} 11' 27''$ E, along said East boundary of the SE 1/4
to the South boundary of Section 29;

Thence N $89^{\circ} 48' 46''$ W, along the South boundary of Section
715.88 feet to the true point of beginning.

158232

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

45 min past 3 o'clock P. M. on the 4

of Nov 1946

JOHN A. MYERS Recorder

By

Christa S. Sells

Deputy

Lawrence P. Seaver

147023

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of Robert B. Severe, Jr.1 min. past 9 o'clock A M. this 5of Dec, 1991 Feb 6. 00

JOHN A. MYERS Recorder

By Robert B. Severe, Jr. Deputy

QUITCLAIM DEED

WITH LIFE ESTATE RESERVED

For value received, I, LAWRENCE R. SEVERE, SR., a widower of Gooding, Gooding County, Idaho, dealing in my sole and separate property, hereinafter called the GRANTOR, hereby quitclaim and convey unto my daughter-in-law, BERTHA B. SEVERE, of Gooding, Idaho, and her heirs, hereinafter called the GRANTEE, the following described premises in Gooding County, Idaho, to wit:

Township 5 South, Range 15 East of the Boise Meridian

Section 29: Part of the SW 1/4 SE 1/4 described as follows:

Beginning at the South quarter corner of Section 29; Thence S 89° 48' 46" E, along the South boundary of said Section 29, 606.75 feet to the true point of beginning;

Thence N 19° 26' 05" E, 820.05 feet;

Thence N 58° 17' E, 89.37 feet;

Thence N 51° 12' E, 300.0 feet;

Thence S 70° 48' E, 140.0 feet more or less to the East boundary of said SW 1/4 SE 1/4;

Thence S 0° 11' 27" E, along said East boundary of the SE 1/4 SE 1/4 to the South boundary of Section 29;

Thence N 89° 48' 46" W, along the South boundary of Section 29, 715.88 feet to the true point of beginning.

Together with all improvements, water and water rights, ditches and ditch rights, tenements, hereditaments, and appurtenances thereto belonging or in anywise appurtenant thereto.

It is expressly agreed and understood by the parties to this instrument that the title to above described premises is to remain in GRANTOR'S name during his natural life.

Further, GRANTOR reserves the right to occupy and/or lease or otherwise use any or all portions of the premises above described during the period of her natural life.

Until further notice, please mail tax bills to Lawrence R. Severe, Sr., Post Office Box 94, Gooding, Idaho.

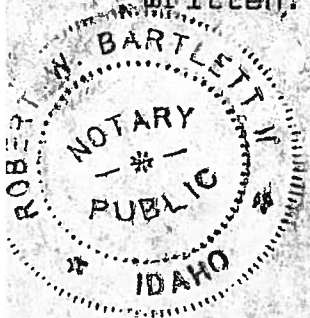
IN WITNESS WHEREOF, the said GRANTOR has hereunto set his hand this 4th day of December, 1991.

Lawrence R Severe
LAWRENCE R. SEVERE, SR.

STATE OF IDAHO)
)ss.
County of Gooding)

On this 4th day of December, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared LAWRENCE R. SEVERE SR., known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Robert W. Bartlett
NOTARY PUBLIC FOR IDAHO
Residing at: Gooding/Ketchum
Commission Expires: Sept. 19, 1995

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00608B
Date Received: 4/13/1988
Receipt No: S000073

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: L. R. SEVERE 208-934-5090
Address: P. O. BOX 94
GOODING, ID 83330

AND/OR

Name: AGNES SEVERE
Address: P.O. BOX 94
GOODING, ID 83330

2. Date of Priority: APR 15, 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 of	Lot	County
05S	15E	28	SE	SE	NW		GOODING

5. Description of diverting works:
SILK-GOODING #32 HEADGATE, DITCH TO GRAVITY IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.098		

7. Total Quantity Appropriated is:
0.098 C.F.S. (and/or) 33.00 A.F.A.

8. Total consumptive use is 33.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	15E	29	SW	SE		IRR	11.0

Section Acres 11.0

A37-00608B

Page 1

Date: 04/13/88

MICROFILMED

FEB 23 1993

10. Place of Use: Continued

Total Acres 11.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
37-0607B, WASTEWATER.

14. Remarks:
TRANS. 2406.
OF THE 13 ACRES OWNED, 11 ACRES ARE IRRIGATED.

15. Basis of Claim: DECREED
Water Right Number:
Case Number:
Court : FOURTH
Decree date: 12/13/1909

S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.
Decree 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 X 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): L. R. Severe Date: April 13-1988

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of April 19 88

Mary Baldwin
Notary Public

Seal

Residing at Gooding ID
My Commission Expires 10/16/1992