

06/07/2004

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

RIGHT NUMBER: 45-10655

NAME AND ADDRESS: DAN E GOCHNOUR
102 S 200 W
BURLEY ID 83318

SHERI L GOCHNOUR
102 S 200 W
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/20/1912

POINT OF DIVERSION:

T10S R22E S35 NENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.080 CFS

PLACE OF USE: DOMESTIC Within CASSIA County

T10S R22E S35 NENE

STOCKWATER Within CASSIA County

T10S R22E S35 NENE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

PARCEL NO. 10S22E350000

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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
	45-10655				

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)

Jack + Cleo Gochneur

Rt 4 Box 4042 Burley

4. New Owner/Claimant(s)

Dan + Sheri Gochneur

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

New Mailing Address

1025 200 W

City, State and ZIP Code

Burley, ID. 83318

New Telephone Number

(208) 678-8346

5. Date you acquired the property

12-21-92

RECEIVED

JUN 01 2004

Department of Water Resources
Southern Region

(over)

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) _____
(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 _____

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

JUN 01 2004

Department of Water Resources
Southern Region

CIVIL CASE NUMBER: 39576

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

Identification No: A45-10655Date Received: 5007184 sec

RECEIVED NOTICE OF CLAIM

MAY 17 1989

Department of Water Resources
Southern Region Office

TO A WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day

Southern Reg. Office
Idaho Dept. Water Re
2148 4th Ave East
Twin Falls, Id
833

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) LACK GOODNOOR OR CLEO Phone (1678.5879)Mailing Address Burley Ida ID 83318 Zip 833182. Date of Priority (Only one per claim) 1912 Month/Day/Year may 103. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____ Name or kind of source _____
which is tributary to (b) _____4. Location of point of diversion is: Township 10 Range 22
Section 35 NE 1/4 of NE 1/4 of NE 1/4 Govt. Lot _____ BM _____County of CassiaAdditional points of diversion if any: _____5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. well pumps

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions)

For DOMESTIC purposes from Jan 1 to Jan 1 amount .04For STOCK purposes from 11 to 11 amount 6.207. Total quantity claimed .24 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of household served if single ownership; Stockwater: Type and Number of livestock) One house 600 dairy

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MAR 08 1993

COPIES ARE 10-134

Use is: Township: 105 Range 22E

35, NE 1/4 of NE 1/4, Govt. Lot _____, B.M.,

of Cassia for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

12. Do you own the property listed above as place of use? Yes ✓ 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. None ✓

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s) 2 Don't want docket

Number of Attachments _____

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

Signature of Claimant (s) Jeffrey Goodnow Date May 18

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Cassia) ss. 578 16 7467

Subscribed and sworn (or affirmed) before me this 16 day of May 1989

SEAL

Notary Public Bruce C. Schuch

Residing at Boise Idaho

My Commission Expires 4/11/95

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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MAR 08 1993



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

5/13/04

RE Owner change for 45-10655

Dear Sir,

Please complete the enclosed owner change for the claim and return it as soon as possible. In addition, I need information about the uses described on the claim (attached). In particular, I need to know the number and kind of livestock, the horsepower and amount of water the pump delivers, and dates of changes to the system.

Thank you for your attention to these matters and look forward to hearing back from you.

Sincerely,

Doug Jones

Doug as we discussed on the phone the pump is a 3 HP running at 40 psi & pumping from $\approx 180'$. The pump man said it will pump between 29 + 34 gpm. The system was updated ≈ 1983 when the new well was dug. The old well was $\approx 60'$ & pumped from 25' with a 2 HP motor it has been abandoned. The dairy is no longer used for milking & we have capacity for ≈ 500 head of feeder cattle Thank you Dan. Markham

261314

Original Recorded 3-8-99
Instrument No. 261314
Cassia County, Idaho

AMENDED
WARRANTY DEED

FOR VALUE RECEIVED, JACK MILTON GOCHNOUR and CLEO S. GOCHNOUR, husband and wife, hereinafter called the "Grantors", do hereby grant, bargain, sell and convey all interest in and to the property described as follows to DAN E. GOCHNOUR and SHERI L. GOCHNOUR, hereinafter called the "Grantees", situated in Cassia County, State of Idaho SUBJECT TO a life estate in favor of the Grantors on one acre of ground immediately surrounding the mobile home in which Grantors currently reside:

TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

Section 35: NE1/4

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantees and to the Grantees' heirs, successors and assigns forever. The Grantors do hereby covenant to and with the said Grantees that the Grantors are the owner in fee simple of said premises; that the said premises are free from all encumbrances except as above-described and that Grantors will warrant and defend the same from all lawful claims whatsoever.

DATED this 3rd day of March, 1999.

"GRANTORS"

Jack Milton Gochnour
Jack Milton Gochnour

AMENDED
WARRANTY DEED - 1

RECEIVED

JUN 01 2004

Department of Water Resources
Southern Region

Cleo S. Gochmour

SS.

)

Residing at: 12414 1st Ave S
My Commission Expires: 9/16/2004

RECORDED

FREE

10 JUN 11 PM 4 01

RECORDED AT THE REQUEST OF

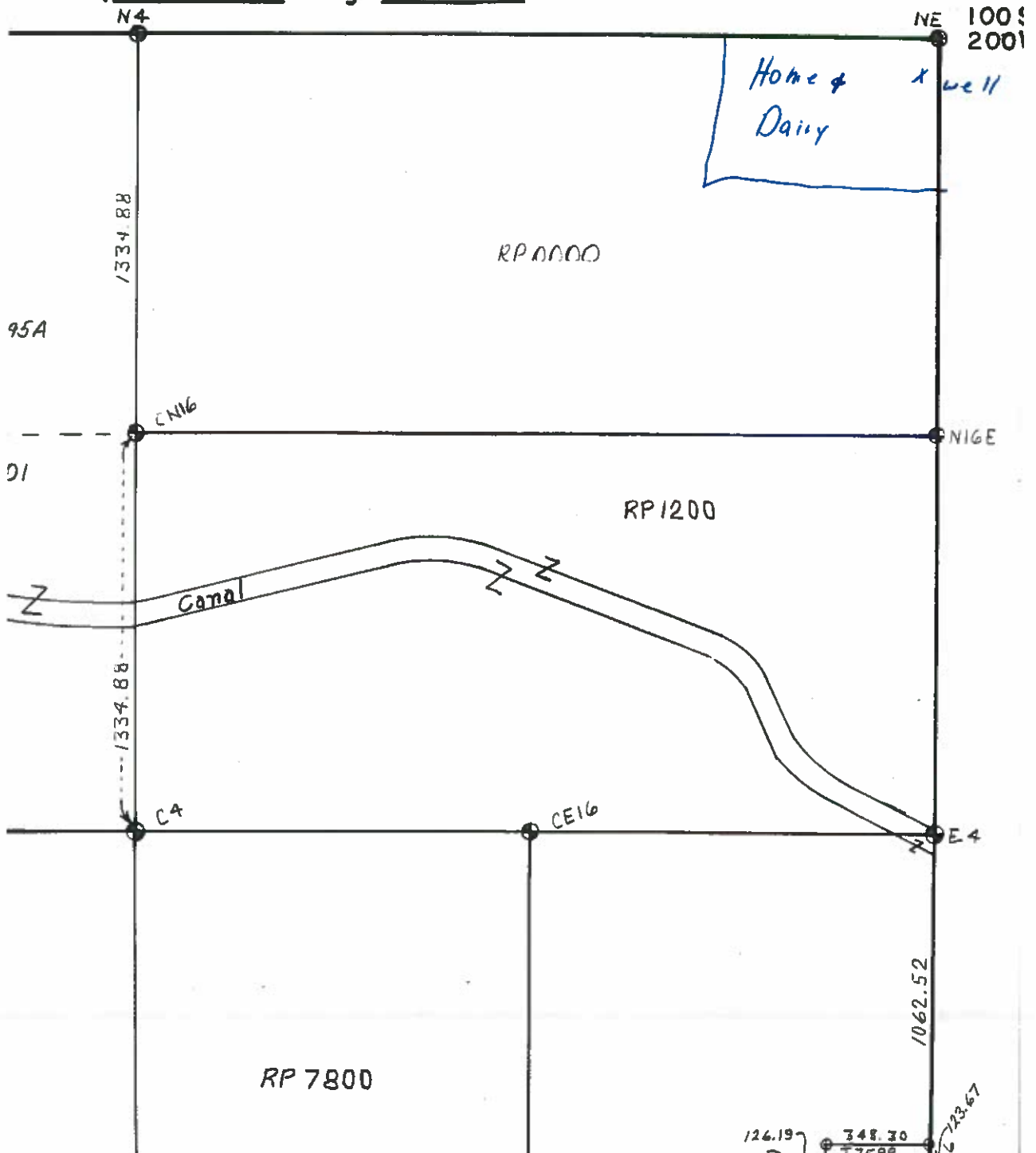
RECORDED AT THE REQUEST OF
Wm. H. E. B. B. B.
L.E.D.P.O. Box 487
Durley. Md

FILED
1999 MAR -8 P 2:42
CASSIA COUNTY, IDAHO
DAVID L. ROSENELLY
CLERK
FREE COPY PUT IN
13: Day 487
Shirley, 200

261314

2E35

Township 10 Range 22



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED

110 south 200W

45-10655
GOCHMOUR
RT 4 BOX 4042
BURLEY ID 83318

RETURNED
TO
SENDER
NOT DELIVERABLE
AS ADDRESSED —
UNABLE TO FORWARD



RECEIVED

JUL - 9 2001

Department of Water Resources
Southern Region

Doug

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: A45-10655
Date Received: 5/18/1989
Receipt No: S007184
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK GOCHNOUR 208-678-5879
Address: RT 4 BOX 4042
BURLEY, ID 83318

AND/OR

Name: CLEO GOCHNOUR 208-678-5879
Address: RT 4 BOX 4042
BURLEY, ID 83318

2. Date of Priority: MAY 20, 1912

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	22E	35	NE	NE	NE		CASSIA

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/600 DAIRY STOCK

A45-10655

Page 1

Date: 05/18/89

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MAR 08 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	22E	35	NE	NE	STOCK DOMEST	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:

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

CIVIL CASE NUMBER: 39576

Identification No. A45-10655

Date Received _____

Receipt Number S007184 *see*RECEIVED NOTICE OF CLAIM
TO A
WATER RIGHT

MAY 17 1989

Department of Water Resources
Southern Region OfficeACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.
Filing Fee \$25Southern Reg. Office
Idaho Dept. Water Res.
2148 4th Ave East
Twin Falls, Id
83301

Please type or print clearly

1. Name of Claimant (s) LACK GOODNOUGH OR CLEO Phone () 678.5879Mailing Address Bundy Idaho 8304 Zip 833182. Date of Priority (Only one per claim) 1912 Month/Day/Year may 103. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source4. Location of point of diversion is: Township 10 Range 22Section 35, NE 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____, BM.,County of Cassia

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. well pumps

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For DOMESTIC purposes from Jan 1 Month/Day to Jan 1 Month/Day amount .04 (cfs)
(Both dates are inclusive)For STOCK purposes from 4 to 11 amount 1.207. Total quantity claimed .24 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of house/holds served if single ownership; Stockwater: Type and Number of livestock) One house 600 dairy

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MAR 08 1993

10. Place of use is: Township: 105 Range 22E

Section 35, NE 1/4 of NE 1/4, Govt. Lot _____, B.M.,

County of Cassia for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

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15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s) 2 Don't want docket

Number of Attachments _____

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

Signature of Claimant (s) X. Jack Goshorn Date May 18

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Cassia) SS. 578 16 7467

Subscribed and sworn (or affirmed) before me this 16 day of May 1989

SEAL

Notary Public Bruce C. Schulz

Residing at Boise Idaho

My Commission Expires 4/11/95

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

MAR 08 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Aug 1, 1989

Re: A45-10655
A45-10656

JACK GOCHNOUR
RT 4 BOX 4042
BURLEY ID 83318

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
MAR 08 1993

WATER RIGHT NUMBER - A45-10655

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 05/18/89 WHITE

```
+-----COMMENTS-----+
```

NO COMMENTS FOUND

[illegible]

COURT REPORT FILING	-	00/00/0000
OBJECTION FILED DATE	-	00/00/0000
RESPONSE FILED DATE	-	00/00/0000
CLAIM RECEIVED DATE	-	05/18/1989
PROOF DUE DATE	-	00/00/0000
LICENSED DATE	-	00/00/0000
CLAIMS TAPE ERROR FLG	-	
FEE EXEMPT FLAG	-	

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FIELD INSPECTION MADE      - 00/00/0000
FIELD INSPECTION FLAG      -
VERIFIED DATE              - 00/00/0000
LAST AMENDED DATE          - 00/00/0000
PROOF MADE DATE            - 00/00/0000
RECEIPT NUMBER             - S007184
POU OWNERSHIP FLAG         - Y
NAME CONNECTOR             - AND/OR

```

CIVIL CASE NUMBER	-	39576
OLD CASE NUMBER	-	
OLD JUDICIAL DISTRICT	-	
TEMPORARY RIGHT	-	P
WATER DISTRICT	-	
FEDERAL/STATE INDICATOR	-	S
PRESUMPTION FLAG	-	
NOTICE OF ERROR FLAG	-	

~~105 22 E 35 1200~~ ~~5 1/2 NE~~ ~~80 AC~~
105 22 E 35 0000 ~~N 1/2 NE~~ ~~80 AC~~
160 AC

DATA ENTRY
ENTERED 12-1
CHECKED 2/6

"Verified By"
 Topo Map/Ortho-PQ
 ASCS Map
 Watermaster Records
 NAPP Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statement
 Project Records
 IDWR Records

VERIFIED
OCT 27 1991

PROOF
SEP 16 1991

CERTIFIED
OCT 29 1951
WATER EXAMINER