

RECEIVED

FEB 05 2001

Department of Water Resources
Southern Region

3579 Dodson Road N.W.
Ephrata, Washington 98823
February 1, 2001

IDWR Southern Regional Office
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

Re: Partial Decree Water Right
37-10144 granted to Rose Goodwin Estate

Dear IDWR Representative;

A partial decree water right 37-10144 was granted to the estate of Rose Goodwin. For a desert dweller to receive such a document is a thrill comparable to winning a magazine sweepstakes. Unfortunately, this water grant is an error.

The Rose Goodwin Estate was closed in 1990. I inherited the property located in Dietrich, Idaho at that time. There were two families living on the farm at that time, Herb McCowan and Gary McCowan. Shortly afterward, I sold the property to Gary and Cindi McCowan. I would have assumed that this claim would have been attached to the property. I understand McCowans also sold this same piece of land, but are probably still living on the site.

I am returning the copy of the court document so the proper recipient of the grant can be found in your records.

Yours truly,



Agnes R. (Goodwin) Holloway

2001 JAN 10 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 37-10144

NAME AND ADDRESS: ROSE GOODWIN EST
CLOVER VALLEY
WELLS, ID 89835

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1916

POINT OF DIVERSION: T06S R18E S22 NENESE Within Lincoln County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 2 HOMES	01-01 TO 12-31	0.06 CFS
	Stockwater	01-01 TO 12-31	0.06 CFS

PLACE OF USE: Stockwater Within Lincoln County
T06S R18E S22 NESE

Domestic Within Lincoln County
T06S R18E S22 NESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication



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

February 8, 2001

Agnes R. Holloway
3579 Dodson Road N.W.
Ephrata, WA. 98823

RE: Snake River Basin Adjudication (SRBA)
New Claim No.: 37-10144

Dear Ms. Holloway,

Thank you for your response concerning the water right decreed in the name of the Rose Goodwin Estate. We will file the information you provided with the water right.

You are correct that the water right remains appurtenant to the land. As the Department does not have the resources necessary to investigate current ownership of all water rights, it is up to the new owners of such rights to inform us when they are conveyed, and in fact it is an Idaho state law that they do so. We anticipate that, as this law is more widely recognized by the real estate industry, ownerships will eventually be corrected. Until that time, this right will remain as currently recorded.

Since we too are desert dwellers, the Twin Falls office staff appreciated your sharing your feelings upon receipt of one of our partial decrees.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: OCT-24-1997
PAGE: A-21

RIGHT NUMBER: 37-10044

NAME & ADDRESS: JOYCE TSCHANNEN
R L TSCHANNEN
710 FOUR MILE RD
GOODING ID 83330

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1942

POINT OF DIVERSION: T05S R16E S03 SESWSW Within LINCOLN County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	10-15 04-15	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within LINCOLN County
T05S R16E S03 SWSW

DOMESTIC Within LINCOLN County
T05S R16E S03 SWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 05S16E036000
STOCKWATER, 25 RANGE

Claim prepared by: UHS

Date: 1030

7-29-98

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: A37-10044
Date Received: 5/17/1988
Receipt No: 5000215

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOYCE TSCHANNEN
Address: 710 FOUR MILE ROAD
GOODING, ID 83330 208-886-7574

AND/OR
Name: R. L. TSCHANNEN
Address: GOODING, ID 83330

2. Date of Priority: JAN 01, 1942

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	16E	3	SE	SW	SW		LINCOLN

5. Description of diverting works:
WELL & PUMP, STOCK TROUGHS

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	10/15	04/15	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESWTIC - 1 HOME, LIVESTOCK - 25 RANGE

A37-10044

Page 1

Date: 05/17/88

MICROFILMED
FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	16E	3	SW	SW		DOMEST	
			SW	SW		STOCK	

11. Place of use in counties: LINCOLN

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
Water Right Number:

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): Jayce Truchman Date: 5/12/88
_____ Date: _____

State of Idaho)
County of Twin Falls) ss.

Subscribed and sworn (or affirmed) before me this 17th day

of May 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding, Id
My Commission Expires 10/16/1992

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

WATER RIGHT NUMBER - A37-10044

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - DECREE PLAINTIFF - - - +	+ - - - - DECREE DEFENDANT - - - +	+ - DECREE DATE - +
		00/00/0000

+ - - AUDIT FIELDS - 05/17/88 STANTON 09/26/89 REFUNDML

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+-----+-----COMMENTS-----+
                          NO COMMENTS FOUND
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[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	-	05/17/1988	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PROOF MADE DATE	-	00/00/0000	WATER DISTRICT	-	
LICENSED DATE	-	00/00/0000	RECEIPT NUMBER	-	S000215	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		POU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-	AND/OR	NOTICE OF ERROR FLAG	-	

05516E036000

DATA ENTRY
ENTERED 11-29305
CHECKED 2/6/94 DED

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

VERIFIED
FEB 11 1992

CERTIFIED
MAR 24 1992
WATER EXAMINER