

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-10784

WATER RIGHT NUMBER: 37-10784

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRANK AND DOROTHY BORNEMAN TRUST 2242 E 1700 S GOODING, ID 83330 (208)934-5098
Original Owner	DOROTHY BORNEMAN 2242 E 1700 S GOODING, ID 83330 (208)934-5098
Original Owner	FRANK A BORNEMAN 2242 E 1700 S GOODING, ID 83330 (208)934-5098

Priority Date: 03/24/1907

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
STOCKWATER	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4SW1/4	Sec. 26, Twp 05S, Rge 15E, B.M.
GOODING County		

Place of UseDOMESTIC Within GOODING County

T05S R15E S26 SESW

STOCKWATER Within GOODING County

T05S R15E S26 SESW

Conditions of Approval:

1. C18 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.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-10784

3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory PARCEL NO. RP05S15E265400A STOCKWATER, 100 SHEEP, 15 RANGE

Dates and Other Information:

Licensed Date:
Decreed Date: 1/5/2001
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



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 5, 2003

DOROTHY BORNEMAN
FRANK BORNEMAN
2242 E 1700 S
GOODING ID 83330

Re: SRBA Claim 37-609E
Water Rights 37-10784, 37-11027, 37-11100

Dear Mr. and Mrs. Borneman:

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,

Trish Fawcett
Technical Records Specialist

Enclosures.

cc: Russell Kvanvig

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

RECEIVED
 FEB 03 2003
 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
37-10784			(DE's right)		

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) Dorothy Borneman
2242 E 1700 S GOODING ID 83330
4. New Owner/Claimant(s) ERANK & Dorothy Borneman Trust
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 2242 E. 1700 S
- City, State and ZIP Code Gooding ID. 83330
- New Telephone Number 208 934-5098
5. Date you acquired the property July 5, 2002

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) *Norathy Berner - Trustee*
(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 *[Signature]* Date *2/4/03* Fee *25.00*
 Received by *[Signature]* Date *2/4/03* Receipt No. *5025488*
 Processed by *[Signature]* AJ Date *2/4/03* WR _____ Date _____

Instrument # 195950

GOODING, GOODING, IDAHO

2002-07-05

03:37:29 No. of Pages: 2

Recorded for : DOROTHY E BORNEMAN

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: 6.00

COPY

WARRANTY DEED

FRANK A. BORNEMAN AND DOROTHY E. BORNEMAN FAMILY PARTNERSHIP, a partnership duly organized and existing under the laws of the State of Idaho, Grantor, hereby grants, bargains, sells and conveys unto **FRANK A. BORNEMAN and DOROTHY E. BORNEMAN**, husband and wife, Grantees, whose address is 2242 East 1700 South, Gooding, Idaho 83330, for the sum of TEN DOLLARS and other good and valuable consideration, the following described real property, to-wit:

Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho

Section 26: SE $\frac{1}{4}$ SW $\frac{1}{4}$

SUBJECT TO taxes and assessments for the year 2002 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantor covenants to the Grantees that Grantor is the owner in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record or apparent, and that Grantor will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 5th
day of July, 2002.

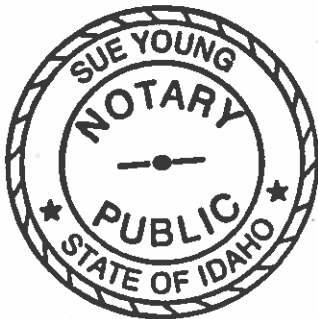
FRANK A. BORNEMAN AND DOROTHY E.
BORNEMAN FAMILY PARTNERSHIP

By Frank A. Borneman
FRANK A. BORNEMAN, General Partner

By Dorothy E. Borneman
DOROTHY E. BORNEMAN, General Partner

STATE OF IDAHO)
COUNTY OF GOODING) ss.

On this 5 day of July, 2002, before me, the undersigned, a notary public in and for the State of Idaho, personally appeared FRANK A. BORNEMAN and DOROTHY E. BORNEMAN, known or identified to me to be the General Partners of Frank A. Borneman and Dorothy E. Borneman Family Partnership, the partnership that executed the within instrument, and acknowledged to me that they executed the same on behalf of said partnership.



Sue Young
Notary Public for Idaho
My Commission Expires on 07-28-06

Instrument # 195951

GOODING, GOODING, IDAHO

2002-07-05

03:38:52 No. of Pages: 2

Recorded for : DOROTHY E BORNEMAN

HELEN EDWARDS

Ex-Officio Recorder Deputy (H. Edwards)

COPY

WARRANTY DEED

FRANK A. BORNEMAN and **DOROTHY E. BORNEMAN**, husband and wife, Grantors, hereby convey, grant, and warrant to **FRANK A. BORNEMAN** and **DOROTHY E. BORNEMAN**, as Trustees of The Frank and Dorothy Borneman Trust dated the 22nd day of November, 1993, Grantees, whose address is 2242 East 1700 South, Gooding, Idaho 83330, for the sum of TEN DOLLARS and other good and valuable consideration, the following described real property, to-wit:

Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho

Section 26: SE $\frac{1}{4}$ SW $\frac{1}{4}$

SUBJECT TO taxes and assessments for the year 2002 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantors covenant to the Grantee that Grantors are the owners in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record or apparent, and that Grantor will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 5th day of July, 2002.

Frank A. Borneman

FRANK A. BORNEMAN

Dorothy E. Borneman

DOROTHY E. BORNEMAN

STATE OF IDAHO

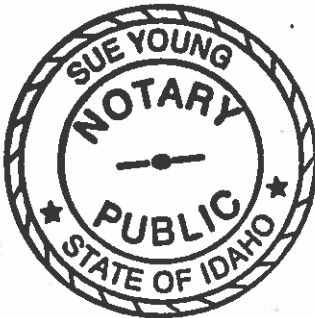
)

: ss.

COUNTY OF GOODING

)

On this 5 day of July, 2002, before me, the undersigned, a notary public in and for the State of Idaho, personally appeared FRANK A. BORNEMAN and DOROTHY E. BORNEMAN, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Sue Young

Notary Public for Idaho

My Commission Expires on 07-28-06

AJ5856NP

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

DATE: OCT-24-1997

PAGE: A-434

RIGHT NUMBER: 37-10784

NAME & ADDRESS: DOROTHY BORNEMAN
FRANK A BORNEMAN
2242 E 1700 S
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: 03/24/1907

POINT OF DIVERSION: T05S R15E S26 SESESW Within GOODING County

PURPOSE AND

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

PLACE OF USE: STOCKWATER Within GOODING County
T05S R15E S26 SESW

DOMESTIC Within GOODING County
T05S R15E S26 SESW

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. RP05S15E26S400A
STOCKWATER, 100 SHEEP, 15 RANGE

Claim proofread by: U10
Date: 1104

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: A37-10784
Date Received: 8/03/1988
Receipt No: S001258
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK A. BORNEMAN 208-934-5098
Address: 2242 E. 1700S.
GOODING, ID 83330

OR
Name: DOROTHY BORNEMAN 208-934-5098
Address: 2242 E. 1700S.
GOODING, ID 83330

2. Date of Priority: MAR 24, 1907

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	15E	26	SE	SE	SW		GOODING

5. Description of diverting works:
WELL AND 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	0.040		

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:
D/ 1 HOUSE S/ 100 SHEEP & 15 RANGE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	15E	26	SE SE	SW SW	DOMEST STOCK	

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:
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): *Christy Dorman* Date: 8/3/88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

A37-10784

Page 2

Date: 08/03/88

MICROFILMED
FEB 25 1993

WATER RIGHT NUMBER - A37-10784

PREFIX TRANSLATION: ADJUDICATION CLAIM

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

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

+ - - AUDIT FIELDS - 08/03/88 CLELLAND 10/03/89 REFUNDML

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

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	- 08/03/1988	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	- S001258	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- OR	NOTICE OF ERROR FLAG	-

RPO515E265400A

DATA ENTRY

ENTERED 10-26-93

CHECKED 12/5/93

By
Map/Ortho-PQ
Map
Water Right Records
Map Photos
Field Exam
Other (See Remarks)
County Records
Water Statement
Project Records
M&T Records

VERIFIED
FEB 15 1992

CERTIFIED
MAR 22 1992
WATER EXAMINER