

01/19/2001

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

RIGHT NUMBER: 37-10814

NAME AND ADDRESS: DEBORAH S JOHNSTON
2126 E 1375 S
GOODING, ID 83330

SOURCE: GROUND WATER

QUANTITY: 0.09 CFS

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

PRIORITY DATE: 10/01/1977

POINT OF DIVERSION: T05S R15E S10 NWNESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.05 CFS
DOMESTIC	1-01 12-31	0.04 CFS

PLACE OF USE:

STOCKWATER Within GOODING County
T05S R15E S10 NESW
DOMESTIC Within GOODING County
T05S R15E S10 NESW

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 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 - Beneficial Use

PARCEL NO. RP05S15E106000A STOCKWATER, 100 BEEF CATTLE, 20
HORSES



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

January 19, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DEBORAH S JOHNSTON
2126 E 1375 S
GOODING ID 83330

RE: Decreed Water Right 37-10814

Dear Ms. Johnston:

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 record of the water right noting the change in owner. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

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

RECEIVED
JAN 18 2001
 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
<u>37-10814</u>	<u>39576</u>	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐

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) M.A. DESMET, JR
2126 E 1375 S GOODING, IDAHO 83330
4. New Owner/Claimant(s) DEBORAH S. JOHNSTON
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2126 E 1375 S
- City, State and ZIP Code GOODING, IDAHO 83330
- New Telephone Number (208) 934-4117
5. Date you acquired the property _____



Debby Johnston
 2126 E 1375 S
 Gooding ID 83330-4840

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) Deborah S. Johnston
(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 Howard Date 11/8/01 Fee \$25.00
 Received by Howard Date 11/8/01 Receipt No. 5023568
 Processed by _____ AJ Date _____ WR _____ Date _____

For Value Received, receipt of which is hereby acknowledged, M. A. Desmet, Jr., an unmarried man, as GRANTOR, does hereby CONVEY, RELEASE, REMISE, and forever QUITCLAIM all his right, title and interest now owned or hereafter acquired unto Deborah S. Johnston, an unmarried woman, of 2126 East, 1375 South, Gooding, Idaho, as GRANTEE, and to Grantee's heirs and assigns, forever, all the following described real estate County of Gooding, State of Idaho, to wit:

thence along the easterly boundary of said NE¼ SW¼, N 0° 00' 41" E, 838.65 feet; thence N 74° 06' 29" W, 81.93 feet; thence S 15° 58' 21" W, 771.07 feet to a point which lies approximately 25 feet and perpendicular to the center of canal lateral; thence along a line parallel to said canal S 46° 34' 59" E, 173.32 feet to a point on the southerly boundary of said NE¼SW¼; thence S 89° 46' 19" E, 164.93 feet to the true point of beginning.

TOGETHER with thirty-five (35) shares of Big Wood Canal Company Water Stock, and all tenements, hereditaments and appurtenances thereunto belonging, and all mineral rights not expressly reserved by prior deed or reservation.

STATE OF IDAHO)
) ss.
County of Gooding)

**REBECCA WILDMAN
NOTARY PUBLIC
STATE OF IDAHO**

Filed for record at the request of M. A. DeMint, Jr.
30 min. past 11 o'clock A m. this 10
of Dec., 1999 3.00

My Commission Expires: 08/13/2004

01/12/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 37-10814

Owner Type **Name and Address**
Current Owner M A DE SMET JR
 1386 S 2100 E
 GOODING, ID 83330
 (208)934-9531

Priority Date: 10/01/1977
Basis: Beneficial Use
Status: Valid

Source **Tributary to**
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01	12/31	0.05 CFS		
DOMESTIC	1/01	12/31	0.04 CFS		
Total Diversion			0.09 CFS		

Location of Point(s) of Diversion:

GROUND WATER NWNESW Sec. 10 Township 05S Range 15E GOODING County

Place(s) of use:

Place of Use Legal Description: STOCKWATER GOODING County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05S	15E	10		NESW										

Place of Use Legal Description: DOMESTIC GOODING County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05S	15E	10		NESW										

Conditions of Approval:

- N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

- Explanatory PARCEL NO. RP05S15E106000A STOCKWATER, 100 BEEF CATTLE, 20 HORSES

Dates:

Licensed Date:

Water Right 37-10814

Claim Received Date: 08/08/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates: No dates found

Other Information:

Receipt Number(s):
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Verification Log: No log entries



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

January 12, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MA DESMET JR
1386 S 2100 E
GOODING ID 83330

RE: Snake River Basin Adjudication (SRBA)
Decreed Water Rights 37-10813, 37-10814
Change of Address Notification

Dear Water Right Holder:

Thank you for notifying us of your change in Address on the water rights referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

RECEIVED

JAN 11 2001

Department of Water Resources
Southern Region

CHANGE IN ADDRESS

☐ Water Right Number(s):

37-10813, 37-10814

☐ Old Mailing Address:

2126 E 1375S

GOODING, IDAHO 83330

☐ New Mailing Address:

1386 S 2100 E.

GOODING, IDAHO 83330

☐ New Telephone Number: (208) 934 - 9531

☐ Signature of Claimant(s):

M.G. U. R.

Date:

09 Jan 01

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

1/12/01

[Signature]

AJ5856NP

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

DATE: OCT-24-1997

PAGE: A-451

RIGHT NUMBER: 37-10814

NAME & ADDRESS: M A DE SMET JR
2126 E 1375 S
GOODING ID 83330

SOURCE: GROUNDWATER

QUANTITY: 0.09 CFS

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

PRIORITY DATE: 10/01/1977

POINT OF DIVERSION: T05S R15E S10 NWNESE Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.05 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within GOODING County
T05S R15E S10 NESW

DOMESTIC Within GOODING County
T05S R15E S10 NESW

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. RP05S15E106000A
STOCKWATER, 100 BEEF CATTLE, 20 HORSES

Claim proofread by: Uto
Date: 1104

D7-29-98

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: A37-10814
Date Received: 8/08/1988
Receipt No: M000886
Received By: RS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: M. A. DE SMET JR. 208-934-4117
Address: 2126 E. 1375 S.
GOODING, ID 83330

2. Date of Priority: OCT 01, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	15E	10	NW	NE	SW		GOODING

5. Description of diverting works:
WELL, 4" CASING, 230' DEEP, 1 HP 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	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE DOMESTIC HOUSEHOLD, 100 HEAD OF BEEF CATTLE, 20 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	10	NE	SW		DOMEST	
			NE	SW		STOCK	

A37-10814

Page 1

Date: 08/08/88

MICROFILMED
FEB 25 1993

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): *M. A. C. [Signature]* Date: *8 Aug '88*

Date: _____

State of Idaho)
County of *Gooding*) SS.

Subscribed and sworn (or affirmed) before me this *8th* day
of *Aug* 19 *88*
[Signature]
Notary Public

Seal

Residing at *Kimberly, Ida*
My Commission Expires *6/30/94*

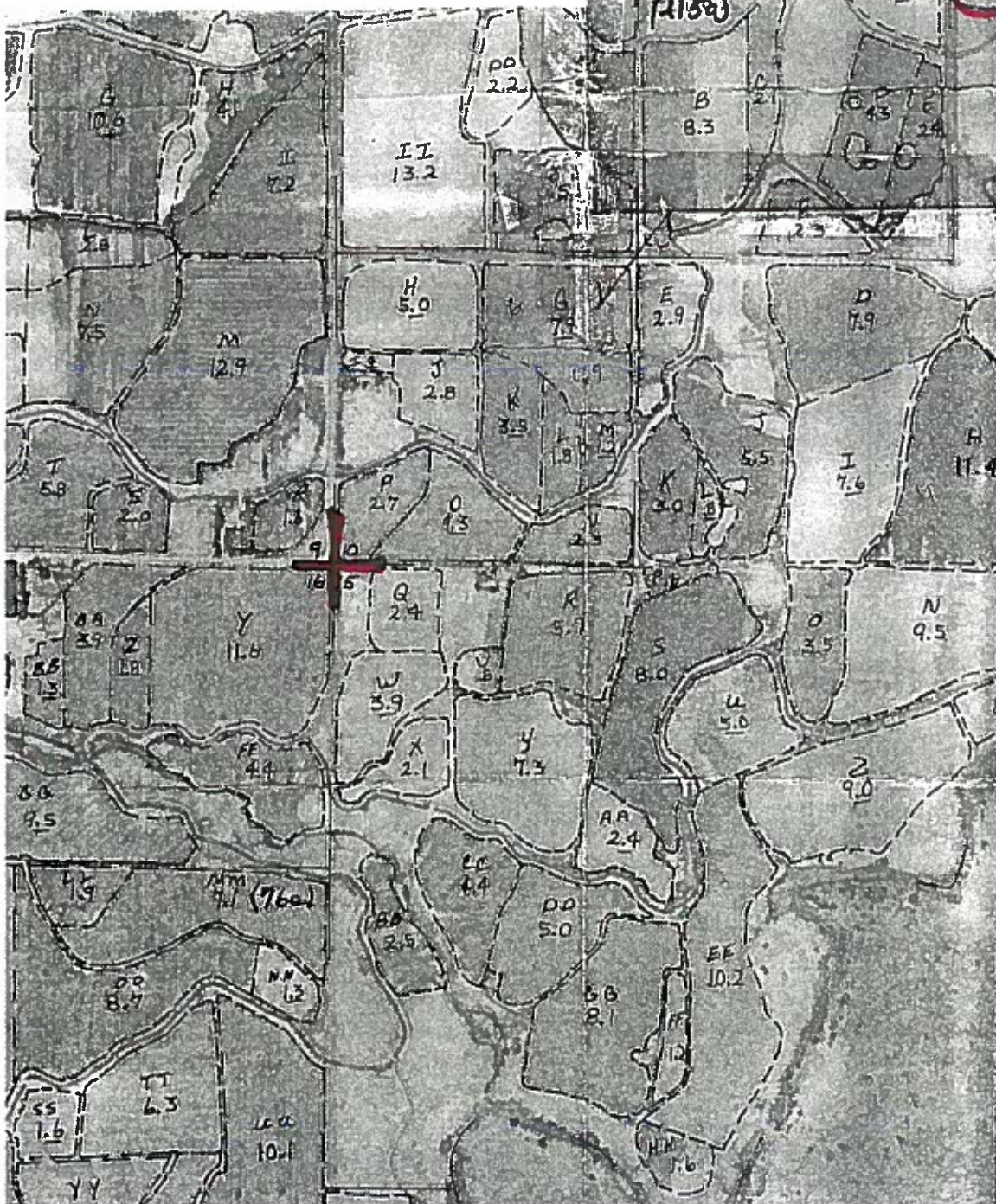
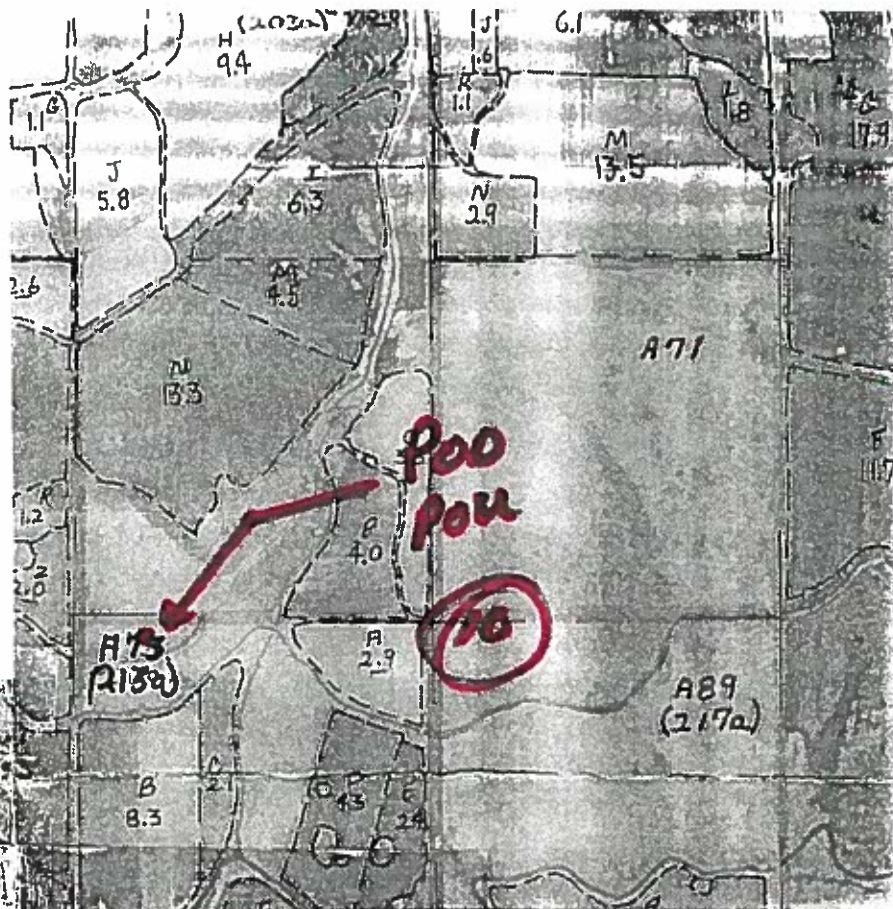
M.A. DE SNEY JR.

T5S R15E

SECTION 10

NW NE SW

A37-10814



MICROFILMED

FEB 25 1993

WATER RIGHT NUMBER - A37-10814

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
DE SMET JR.

M. A.

1 - 2126 E. 1375 S.
2 -
3 -
CITY- GOODING
PHONE - 208-934-4117

STATE- ID ZIP- 83330

+ - - PRIORITY DATE - - +
10/01/1977

+ - - - REGION - - - +
ERROR IN REGION

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
GROUNDWATER

+ - - - - - TRIBUTARY - - - - - +

+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

05S 15E 10 NW NE SW (47) GOODING

+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 01/01 12/31 0.050

+ - - TOTAL DIV. RATE - + + - - TOTAL DIV. VOLUME - + + - - TOTAL DIV. CAPACITY - + + - - TOTAL CONSUMPTIVE USE - + + - - KW USAGE - +
0.090 0.0

+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

05S 15E 10 NE SW 04 STOCKWATER (47) GOODING
05S 15E 10 NE SW 43 DOMESTIC (47) GOODING

+ - - DIVERSION MEANS - WELL, 4" CASING, 230' DEEP, 1 HP PUMP

+ - - NON-IRRIGATION USE - ONE DOMESTIC HOUSEHOLD, 100 HEAD OF BEEF CATTLE, 20 HORSES

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +
NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

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

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

MICROFILME
OCT 25 1994

PREFIX TRANSLATION: ADJUDICATION CLAIM

[illegible]

CERTIFIED
MAR 24 1992
WATER EXAMINER