

AJ5856NP

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

DATE: OCT-24-1997
PAGE: A-480

RIGHT NUMBER: 37-10850

NAME & ADDRESS: JAMES SCOTT SIMMONS
ANN L SIMMONS
1327 S 2000 E
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: 01/01/1930

POINT OF DIVERSION: T05S R15E S08 NESENE Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.01 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within GOODING County
T05S R15E S08 SENE

DOMESTIC Within GOODING County
T05S R15E S08 SENE

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. 05S15E081800A
STOCKWATER, 5 CATTLE, 10 HORSES

D
7-29-98

Claim proofread by: U40
Date: 1104

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: A37-10850
Date Received: 8/09/1988
Receipt No: M000919
Received By: _____

RECEIVED

NOV 27 1990

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES SCOTT SIMMONS
Address: 1327 S. 2000 E.
GOODING, ID 83330

AND/OR

Name: ANN L. SIMMONS
Address: 1327 S. 2000 E.
GOODING, ID 83330

2. Date of Priority: JAN 01, 1930

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	15E	8	NE	SE	NE		GOODING

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	0.010		

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/5 BEEF CATTLE, 10 HORSES

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	15E	8	SE NE		STOCK DOMEST	

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:
OWNERSHIP CHANGE 11/13/90 BY JG.

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): James H. Himmer Date: 11/21/90
Ann Louise Himmer Date: 11/21/90

State of Idaho)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of November 19 90

Cheryl L. Hoyt
Notary Public

Seal

Residing at Gooding, Idaho

My Commission Expires 6/22/93



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

14-Nov-1990 12:45

James Scott Simmons
Ann L. Simmons
1327 S. 2000 E.
Gooding, ID 83330

Re: Change of OWNERSHIP Claim(s) A37-10850

Dear Applicants:

The Department has changed the name of the above-listed adjudication water right(s) as you have requested.

Please review the enclosed copy(s), should you have any questions, please contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Secretary

/jg

Enclosures

c.c. Janet Gorrell
Land Title and Escrow, Inc.
Gooding, ID 83330

MICROFILMED
FEB 25 1993

SD-36		TOWNSHIP: 05S		RANGE: 15E		SECTION: 8		TRACT:		LOT:	
S	L			STATE		O		S	MAX # RECORDS		32
E	O	WATER		NAME		W		T	PRIORITY	USE	
L	TRACT	T	RIGHT NO.	LAST, FIRST		N	AC	G	DATE	CODE	DESC
---	---	---	---	---	---	---	---	---	---	---	---
---			A37-10365	SWENSON, JR., SEVERT		C		J	12/31/1910	43	DOMEST
---				SWENSON, MARY L.		C				04	STOCK
---			A37-10850	DENNIS, A. KELLY		C		J	01/01/1930	43	DOMEST
---				DENNIS, JANET L.		C				04	STOCK
---			A37-10967	ESTERBROOK, WELDON		C		J	01/01/1900	43	DOMEST
---				ESTERBROOK, LINDA		C				04	STOCK
---			A37-10969	ESTERBROOK, WELDON		C		J	01/01/1946	43	DOMEST
---				ESTERBROOK, LINDA		C				04	STOCK
---			A37-11230	JAMES, J.M.		C		J	01/01/1888	43	DOMEST
---				JAMES, VIRGINIA E.		C				04	STOCK
---	NENE		A37-10708	HAWKS, TWILLA		C		J	04/30/1930	43	DOMEST
---	NENE		A37-00867Z1	LARGE CLAIM		C	40	D	01/01/1901	39	GWR FS
---	NWNE		A37-00867Z1	LARGE CLAIM		C	40	D	01/01/1901	39	GWR FS
---	SWNE		A37-11139	JACKSON, ROBERT W.		C		J	07/01/1934	43	DOMEST
---				JACKSON, PAULINE M.		C					
---	SWNE		A37-00867Z1	LARGE CLAIM		C	37	D	01/01/1901	39	GWR FS

(ENTER=CONTINUE)

(GOLD 7=THIS QUERY)

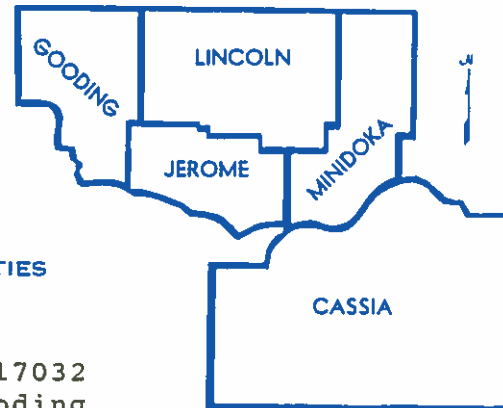
(MENU _____)

MICROFILMED
FEB 25 1993

Land Title and Escrow, Inc.

COMPLETE SERVICE

— 5 IDAHO COUNTIES



REFER TO: G-17032

OFFICE: Gooding

October 31, 1990

RECEIVED

NOV 1 1990

Department of Water Resources
Southern Region Office

Mrs. Laurie White
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Real Estate Sale Dennis to Simmons

Dear Laurie:

In connection with the above referenced transaction, please find enclosed the following:

1. Change in Ownership
2. Copy of Recorded Warranty Deed

Please provide this office with your change in ownership of the adjudication claim.

Thank you.

Sincerely,

LAND TITLE AND ESCROW, INC.

Janet

Janet Gorrell
Manager-Gooding

Enclosures

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-4842 - FAX 324-8981

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 438-0608 - FAX 438-1199

MICROFILMED

FEB 23 1993

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): A-3710850

[] Name and Address of Former Claimant(s): A. Kelly Dennis and Janet L. Dennis

P.O. Box 213, Fairfield, Idaho 83327

[] New Claimant(s): James Scott Simmons and Ann L. Simmons

1327 S 2000 E, Gooding, Idaho 83330

[] New Mailing Address: 1327 S 2000 E, Gooding, Idaho 83330

New Telephone Number: () -

[] Does the change in ownership result in a splitting of the water right claimed? yes xx no
If yes, then describe the portion of the water right that is now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: COPY OF RECORDED WARRANTY DEED
(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s): James Scott Simmons
Ann L. Simmons

Ann L. Simmons

Date: August 30, 1990

WARRANTY DEED COPY

For Value Received A. KELLY DENNIS and JANET L. DENNIS, aka JANET DENNIS,
husband and wife, P.O. Box 213
Fairfield, Idaho 83327

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
JAMES SCOTT SIMMONS and ANN L. SIMMONS, husband and wife,
1327 S. 2000 E.
Gooding, Idaho 83330

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho,
to-wit:

Township 5 South, Range 15 E.B.M.

Section 8: SE1NE1
Section 9: SW1NW1

TOGETHER with 50 shares of stock in the Big Wood Canal Company.

GOODING COUNTY, STATE OF IDAHO.

142744

STATE OF IDAHO, COUNTY OF GOODING
Filed for record at the request of Land Title & Escrow Inc
22 min. past 1 o'clock P M. this 30
of Oct, 1990.
JOHN A. MYERS, Recorder fee
By [Signature] 300
Dep.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee
and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to
and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are
free from all incumbrances except as above described and that Grantor will warrant and defend the
same from all lawful claims whatsoever.

Dated: October 22, 1990.

A. Kelly Dennis

Janet L. Dennis

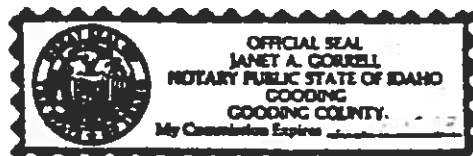
STATE OF IDAHO, COUNTY OF GOODING

On this 22nd day of October, 19 90
before me, a notary public in and for said State, per-
sonally appeared A. KELLY DENNIS and
JANET L. DENNIS, husband and wife,

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Notary Public

Residence: Gooding, Idaho, Idaho
Commission Expires: 2-28-1993



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: A37-10850
Date Received: 8/09/1988
Receipt No: M000919
Received By: aw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A. KELLY DENNIS 208-934-8120
Address: 1327S 2000E
GOODING, ID 83330

AND/OR

Name: JANET L. DENNIS 208-934-8120
Address: 1327S 2000E
GOODING, ID 83330

2. Date of Priority: JAN 01, 1930

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	15E	8	NE	SE	NE		GOODING

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	0.010		

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/5 BEEF CATTLE, 10 HORSES

A37-10850

Page 1

Date: 08/09/88

MICROFILMED

FEB 25 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	15E	8	SE NE		STOCK DOMEST	

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: 1

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): Janel L. Dennis Date: 8-9-88
_____ Date: _____

State of Idaho)
County of T.F.) SS.

Subscribed and sworn (or affirmed) before me this 9th day

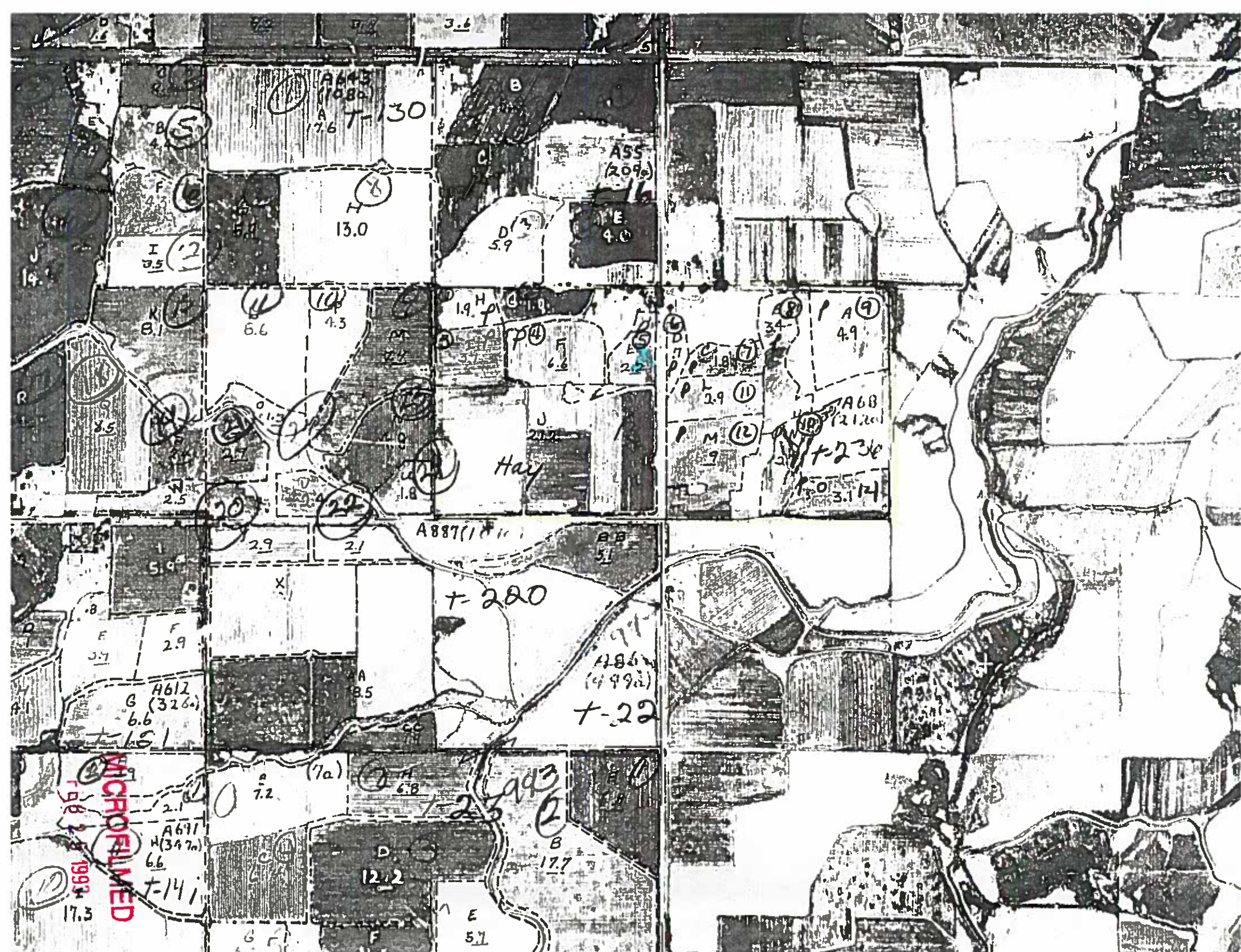
of August 19 88

Lon White
Notary Public

Seal

Residing at T.F.

My Commission Expires 5/95



WATER RIGHT NUMBER - A37-10850

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

+ - FIRST NAME - - +

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

*** C - CURRENT OWNER ***
SIMMONS

JAMES SCOTT

1 - 1327 S. 2000 E.
2 -
3 -

STATE- ID ZIP- 83330

SIMMONS

ANN L.

CITY- GOODING
PHONE - 208-000-0000
1 - 1327 S. 2000 E.

STATE- ID ZIP- 83330

*** D - ORIGINAL OWNER ***
DENNIS

A. KELLY

2 -
3 -
CITY- GOODING
PHONE - 208-000-0000

STATE- ID ZIP- 83330

DENNIS

JANET L.

1 - 1327S 2000E
2 -
3 -
CITY- GOODING
PHONE - 208-934-8120
1 - 1327S 2000E
2 -
3 -
CITY- GOODING
PHONE - 208-934-8120

STATE- ID ZIP- 83330

+ - - PRIORITY DATE - - +
01/01/1930

+ - - - 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 8 NE SE NE (47) GOODING

+ - - - - WATER USE - - - - - +		+ - - - - DIVERSION RATE - - - - - +		+ - - - - DIVERSION VOLUME - - - - - +	
CODE	DESCRIPTION	PERIOD FROM	PERIOD TO		
43 - DOMESTIC		01/01	12/31	0.040	
04 - STOCKWATER		01/01	12/31	0.010	

+ - TOTAL DIV. RATE - +		+ - TOTAL DIV. VOLUME - +		+ - TOTAL DIV. CAPACITY - +		+ - TOTAL CONSUMPTIVE USE - +		+ - KW USAGE - +	
0.040						0.0			

+ - - - - PLACE OF USE - - - - - +						+ - - - - DESCRIPTION - - - - - +		+ - - - - COUNTY - - - - - +	
TWN	RNG	SEC	TRACT	LOT	ACRES	CODE			
05S	15E	8	SE NE			04	STOCKWATER	(47)	GOODING
05S	15E	8	SE NE			43	DOMESTIC	(47)	GOODING

+ - - DIVERSION MEANS - WELL & PUMP

MICROFILMED
OCT 25 1994

WATER RIGHT NUMBER - A37-10850

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - NON-IRRIGATION USE - D/1 HOUSE, S/5 BEEF CATTLE, 10 HORSES

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - -
OWNERSHIP CHANGE 11/13/90 BY JG.

+ - - - - - 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

+ - - AUDIT FIELDS - 08/09/88 MOBILE2 10/03/89 REFUNDML 11/13/90 GIVENS

+ - - - - - 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	- 08/09/1988	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	- M000919	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	-

05515E081800A

DATA ENTRY

ENTERED

CHECKED

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

VERIFIED
FEB 15 1992

CERTIFIED
MAR 22 1992
WATER EXAMINER