

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-11048

WATER RIGHT NUMBER: 37-11048

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	IRENE S YOUNG 1555 S 1700 E GOODING, ID 83330 (208)934-5736
Current Owner	DANIEL ERVIN 1555 S 1700 E GOODING, ID 83330
Current Owner	DENISE ERVIN 1555 S 1700 E GOODING, ID 83330
Original Owner	ROBERT L YOUNG 1555 S 1700 E GOODING, ID 83330 (208)934-5736

Priority Date: 06/01/1975

Basis: Decreed

Status: Active

SourceTributary

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	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of DiversionGROUND WATER
GOODING County

NE1/4SE1/4

Sec. 23, Twp 05S, Rge 14E, B.M.

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05S	14E	23													X				

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.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-11048

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

Remarks:

1. Explanatory PARCEL NO. G1000112007BA

Comments:

1. CORR4 9/23/1997 COPIED FROM REMARKS

Comment: PARCEL NO. G1000112007BA PROPERTY ALSO KNOWN AS 926 COLORADO ST

2. kwalker 10/21/2002 Corrections to Comments

Comment: This right was decreed to Parcel No. G1000112007BA which is also known as 926 Colorado St. in Gooding. That parcel is served by Gooding City Water & Sewer (per visit with GCW&S by John Freitag). John was also told that this parcel has always been on city water.

The parcel number for this right should be shown as 05S14E237220 which coincides with the legal descriptions. Both parcels were owned, at one time, by Robert and Irene Young. It is clear that the Youngs intended this right to belong to Parcel No. 05S14E237220.

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

Combined Use Limits:

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

RECEIVED
OCT 11 2002

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

Department of Water Resources
Southern Region

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
37-11048					

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) Irene S. Young and Robert L. Young
1555 S 1700 E, Gooding, ID 83330
4. New Owner/Claimant(s) Daniel Ervin and Denise Ervin
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1555 South 1700 East, Gooding, ID 83330
- City, State and ZIP Code _____
- New Telephone Number () _____
5. Date you acquired the property October 2, 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)
(include title if applicable)

Daniel Ervin
Daniel Ervin
Denise M Ervin
Denise Ervin

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 *10/11/02* Fee *25.00*
 Receipted by *[Signature]* Date *10/11/02* Receipt No. *5025266*
 Processed by *[Signature]* AJ Date *10/15/02* WR _____ Date _____

WARRANTY DEED

#GG-03888

For Value Received

Robert L. Young and Irene Sue Young, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Daniel Ervin and Denise Ervin, husband and wife
Address: 1555 South 1700 East, Gooding, ID 83330

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

**TOWNSHIP 5 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 23: N½N½NE¼SE¼;

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2002 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Power Line Easement given by Thomas D. Miller to Idaho Power Company, a corporation, dated April 28, 1976, recorded December 29, 1979 as Instrument Number 62554, Gooding County records, affecting the NE¼SE¼ of Section 23, Township 5 South, Range 14, East Boise Meridian.

plc
mc
TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 10 shares of capital stock in the Big Wood Canal Company, also including any licensed domestic or irrigation water rights or licenses with the State of Idaho, including but not limited to Water Right No. 37-11048.

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: September 30, 2002

Robert L. Young
Robert L. Young

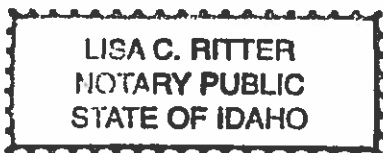
Irene Sue Young
Irene Sue Young

Instrument # 197168

GOODING, GOODING, IDAHO
2002-10-02 03:27:54 No. of Pages: 1
Recorded for : LAND TITLE
HELEN EDWARDS
Ex-Officio Recorder Deputy Hagerman Fee: 3.00

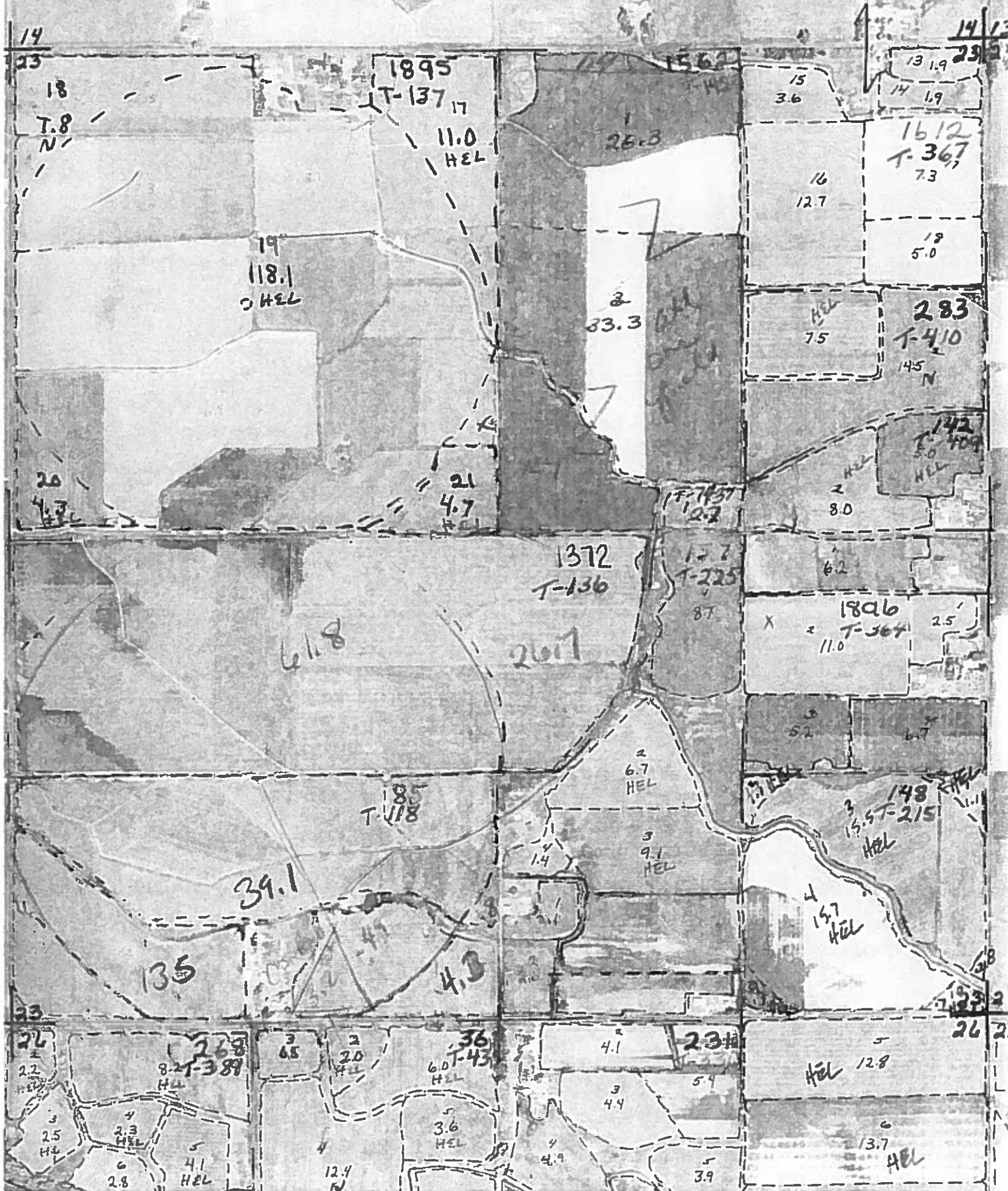
STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 30 day of September, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert L. Young and Irene Sue Young, 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.



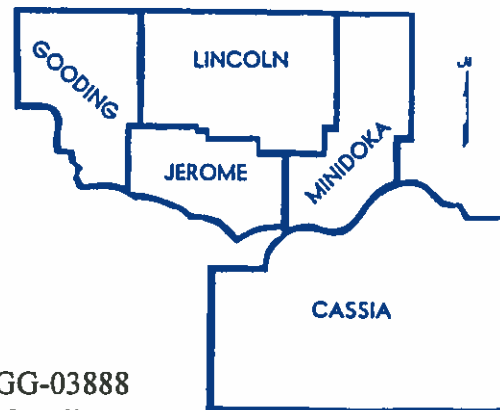
Hagerman, ID
Notary Public
Residing at: Hagerman, ID
My Commission expires: 10/06/04

R
5S, 14E, Sec 23



Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



October 2, 2002

REFER TO:
OFFICE:

GG-03888
Gooding

Idaho Department of Water Resources
1341 Fillmore Street, Ste 200
Twin Falls, ID 83301

RE: Robert L. Young

Dear Sirs:

Please find enclosed our check #16232 in the amount of \$25.00 representing change of ownership fees on the above referenced. I have also enclosed the signed form, a copy of the recorded deed and the plat for your reference. The Ervin's called and said that there was some question on the tax parcel on this claim. Hopefully you have figured it out by now?

If you have any questions, please do not hesitate to call.

Very Truly Yours,

LAND TITLE AND ESCROW, INC.

Becky Shubert

Becky Shubert

(208)934-8477

P.O. Box 473, 706 Main Street

Gooding, Idaho 83330

RECEIVED

OCT 11 2002

Department of Water Resources
Southern Region

1J5856NP

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

DATE: OCT-24-1997

PAGE: A-611

RIGHT NUMBER: 37-11048

NAME & ADDRESS: ROBERT L YOUNG
IRENE S YOUNG
15556 1700E
RT 1
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: 06/01/1975

POINT OF DIVERSION: T05S R14E S23 NESE Within GOODING County

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

PLACE OF USE: DOMESTIC Within GOODING County
T05S R14E S23 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. G1000112007BA

D
7-29-98

Claim prepared by: 15 T

Date: 11-03

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: A37-11048
Date Received: 8/19/1988
Receipt No: S001579
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT L. YOUNG 208-934-5736
Address: 1555S 1700E
RT 1
GOODING, ID 83330
AND/OR
Name: IRENE S. YOUNG 208-934-5736
Address: 1555S 1700E
RT 1
GOODING, ID 83330
2. Date of Priority: JUN 01, 1975
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 05S | 14E | 23 | NE | SE | | | 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 | | |
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

A37-11048

Page

1

Date: 08/19/88

MICROFILMED
FEB 25 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	14E	23	NE SE		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:

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): Robert L. Young Date: 8/19/88
Irene S. Young Date: 8/19/88

State of Idaho)
County of TE) SS.

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

Lori White
Notary Public

Seal

Residing at TE
My Commission Expires 5/95

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

11/28/91 17:55:06
PAGE 2

WATER RIGHT NUMBER - A37-11048

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 08/19/88 WHITE 10/03/89 REFUNDML

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

[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	- 08/19/1988	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	- S001579	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	-

41000112007B A

DATA ENTRY

ENTERED 10-27-93 JS

CHECKED 12/5/83

"Veiled Ry"

Topo Map/Geo-PQ
ASCS Map
Watermaster Records
NAFIS Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWH Records

VERIFIED
FEB 15 1992

CERTIFIED
MAR 22 1992
WATER EXAMINER