

07/28/2006

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

RIGHT NUMBER: 75-34A  
NAME AND ADDRESS: MAXINE GOULD  
38 LOVERS LN  
SALMON ID 83467-5156  
  
ROBERT GOULD  
38 LOVERS LN  
SALMON ID 83467-5156

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER  
QUANTITY: 0.400 CFS  
PRIORITY DATE: 04/01/1894  
POINT OF DIVERSION:

T20N R22E S5 NWSWNW Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 0.400 CFS       |

PLACE OF USE: IRRIGATION Within LEMHI County  
T21N R22E S18 NWNE 10.00

10 ACRES TOTAL

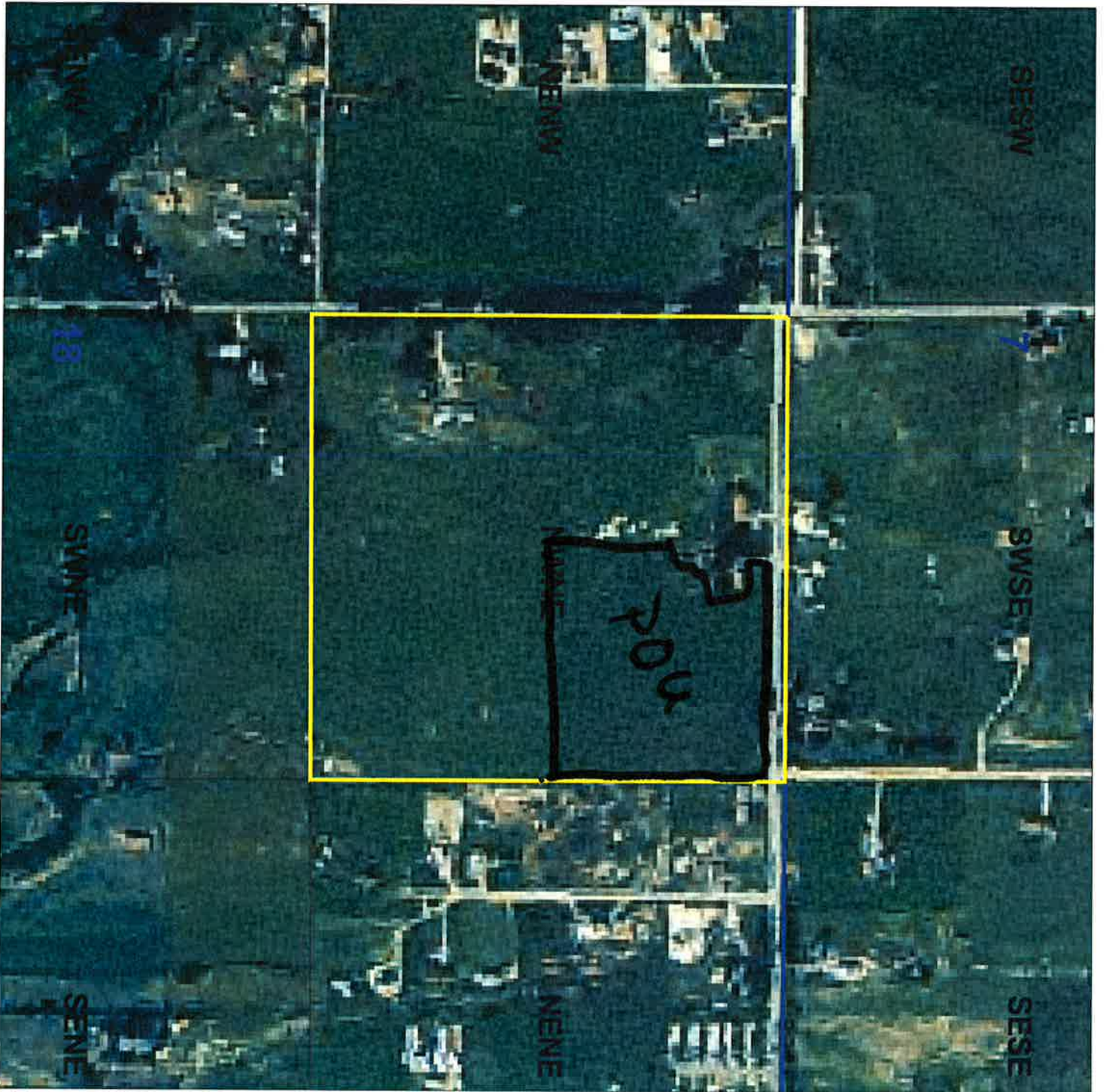
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Decreed

Water is delivered through the Minzer-Runsten Ditch.

75-34A





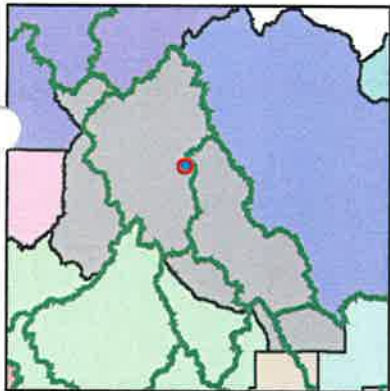
# Idaho Department of Water Resources

SRBA Claim:

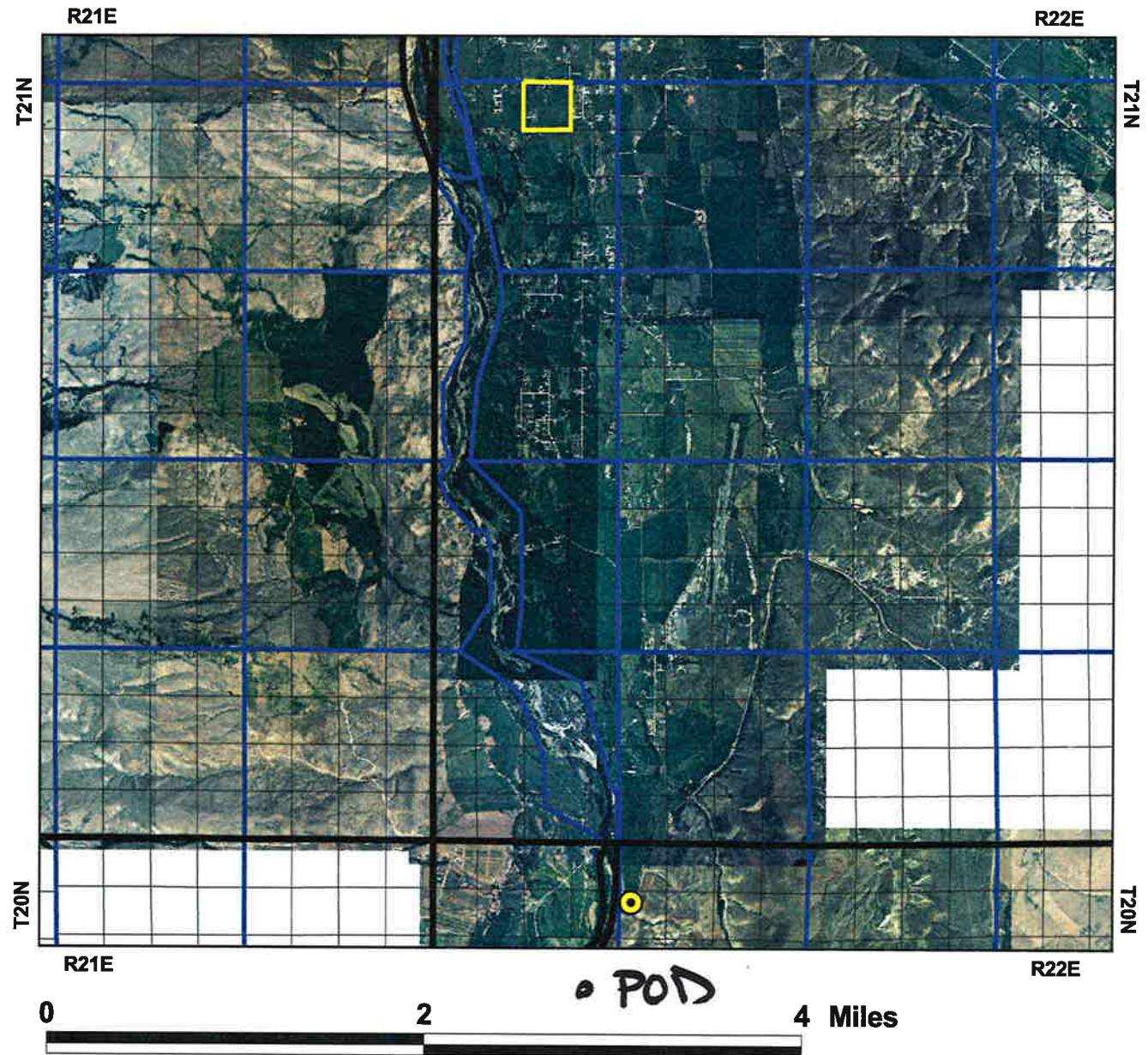
**75-34A**

## Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County  
IDWR Basin 75



Prepared by D. Favreau  
On Tuesday, May 2, 2006  
1987/88 Aerial Photography

|                |   |                                                              |
|----------------|---|--------------------------------------------------------------|
| In Re SRBA     | ) | <b>Water Rights: 75-00034A</b>                               |
|                | ) |                                                              |
| Case No. 39576 | ) | <b>NOTICE OF COMPLETED<br/>ADMINISTRATIVE<br/>PROCEEDING</b> |

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

DATED: March 23, 2008

Signature of IDWR Representative

### CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
PO Box 2707  
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:  
Raymond V. Herbst  
Renee Herbst  
38 Lovers Lane  
Salmon, Idaho 83467

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

4. One copy to:

Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

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Signature of person or attorney mailing the form

03/27/2008

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

RIGHT NUMBER: 75-34A

NAME AND ADDRESS: RAYMOND V HERBST  
38 LOVERS LN  
SALMON ID 83467

RENEE A HERBST  
38 LOVERS LN  
SALMON ID 83467

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

Prior to the diversion and use of water under transfer 74148, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

QUANTITY: 0.400 CFS

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 04/01/1894

POINT OF  
DIVERSION:

T20N R22E S6 SESE Lot 14 Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 0.400 CFS       |

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S18 NWNE 10.00

10 ACRES TOTAL

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

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 - Decreed

This right does not grant any right-of-way or easement across the land of another.

The right holder shall accomplish the change authorized by transfer 74148 by February 13, 2009.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Failure of the right holder to comply with the conditions of transfer 74148 is cause for the Director to rescind approval of the transfer.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75C.

March 27, 2008

Raymond and Renee Herbst  
38 Lovers Lane  
Salmon, Idaho 83467

RE: Transfer #74148 for water right(s) 75-00034A and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. and Mrs. Herbst:

On February 13, 2008, the Idaho Department of Water Resources (IDWR) approved Transfer #74148, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Denise Kidman  
Water Resource Agent

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 74148**

This is to certify that: RAYMOND V HERBST And  
 RENEE HERBST  
 38 LOVERS LANE  
 SALMON ID 83467  
 (208)756-8605

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Change**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 75-34A       | AJC/Decreed         | 04/01/1894      | 0.4 cfs     | N/A           | N/A               | 10.0               | SALMON RIVER  |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 75-34A                | NO           | YES        | NO         | NO             | NO                   | NO                   |

**Summary of Water Rights After the Approved Change**

| <u>Existing Right</u> | <u>New No. (changed portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 75-34A                | 75-34A                           | 0.4 cfs              | N/A                    | N/A               | 10.0               |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED</b>       |                                  |                      |                        |                   |                    |                                    |                       |                         |                             |                              |
| <b>TOTALS</b>         |                                  | <b>0.4 cfs</b>       | <b>N/A</b>             | <b>N/A</b>        | <b>10.0</b>        |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 13<sup>th</sup> day of February, 20 08

\_\_\_\_\_  
 Chief, Water Allocation Bureau

438082

**WATER RIGHT NO. 75-34A**  
**As Modified by Transfer No. 74148**

In accordance with the approval of Transfer No. 74148, Water Right No. 75-34A is now described as follows.

**Right Holder:** RAYMOND V HERBST And  
RENEE HERBST  
38 LOVERS LANE  
SALMON ID 83467

**Priority Date:** April 01, 1894

**Source:** SALMON RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From To**  
04/01 to 10/31

**Diversion Rate**  
0.40 CFS  
0.40 CFS

**LOCATION OF POINT(S) OF DIVERSION:**

SALMON RIVER L14 (SESE) Sec. 6 Twp 20N Rge 22E LEMHI County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 21N | 22E | 18  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 10.0   |

Total Acres: 10

**CONDITIONS OF APPROVAL**

- Exp Fd1 ✓ Water is delivered through the Runsten Mintzer Ditch. 74148
- Exp T072 ✓ The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval. by Feb 13, 2009.
- Exp R05 ✓ 3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75C.
- Exp T08 ✓ 4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. 74148
- C18 5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- Exp R43 ✓ 6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

**WATER RIGHT NO. 75-34A**  
**As Modified by Transfer No. 74148**

**CONDITIONS OF APPROVAL**

Qty 7594

Exp 004

Source 029

7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. This right does not grant any right-of-way or easement across the land of another.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

Transfer 74148

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 13<sup>th</sup> day of February, 20 08

  
\_\_\_\_\_  
Chief, Water Allocation Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

EASTERN REGION

October 19, 2007

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

RAYMOND V HERBST  
RENEE A HERBST  
38 LOVERS LN  
SALMON ID 83467

RE: Notice of Change of Water Right Ownership (NCO) for 75-34A and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. and Mrs. Herbst:

On October 19, 2007, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree

Technical Records Specialist

Enclosure

SCANNED

OCT 29 2007

|                |   |                                                              |
|----------------|---|--------------------------------------------------------------|
| In Re SRBA     | ) | <b>Water Rights: 75-34A</b>                                  |
|                | ) |                                                              |
| Case No. 39576 | ) | <b>NOTICE OF COMPLETED<br/>ADMINISTRATIVE<br/>PROCEEDING</b> |

|                                               |                                              |
|-----------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> point of diversion   | <input type="checkbox"/> place of use        |
| <input type="checkbox"/> period of use        | <input type="checkbox"/> nature of use       |
| <input type="checkbox"/> split of water right | <input type="checkbox"/> change in ownership |

Signature of IDWR Representative

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING  
5/21/96 75-34A Page 1

### CERTIFICATE OF MAILING

I certify that on Oct 24, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
PO Box 2707  
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:  
ROBERT & MAXINE GOULD  
38 LOVERS LN  
SALMON ID 83467-5156

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:  
RAYMOND V & RENEE A HERBST  
38 LOVERS LN  
SALMON ID 83467

4. One copy to:

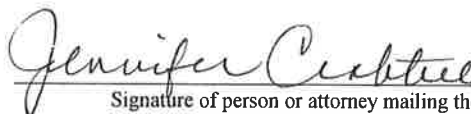
Each party in the subcase, or attorney of record  
N/A

5. One copy each to:

Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

  
Signature of person or attorney mailing the form

10/19/2007

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

RIGHT NUMBER: 75-34A

NAME AND ADDRESS: RAYMOND V HERBST  
38 LOVERS LN  
SALMON ID 83467

RENEE A HERBST  
38 LOVERS LN  
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.400 CFS

PRIORITY DATE: 04/01/1894

POINT OF  
DIVERSION:

T20N R22E S5 NWSWNW Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.400 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S18

NWNE 10.00

10 ACRES TOTAL

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

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 - Decreed

Water is delivered through the Minzer-Runsten Ditch.

SCANNED  
OCT 29 2007

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 75-34A V1

WATER RIGHT NUMBER: 75-34A V1

Owner Type                      Name and Address  
 Current Owner                MAXINE GOULD -  
                                      38 LOVERS LN  
                                      SALMON, ID 83467-5156  
                                      (208)756-3312 — # has been disconnected.

Current Owner                ROBERT GOULD -  
                                      38 LOVERS LN  
                                      SALMON, ID 83467-5156  
                                      (208)756-3312

Original Owner                EMMA SEYFERS

Original Owner                , ID  
                                      JOSEPH SEYFERS  
                                      , ID

Priority Date: 04/01/1894

Basis: Decreed

Status: Active

Source  
 SALMON RIVER

Tributary  
 SNAKE RIVER

10/18/2007 - Purchased by Raymond V Herbst  
 in 1998. - Gould sold property in 1997  
 to ~~Duncan~~ Duncan who subsequently  
 sold it to Herbst.  
 Duncan to Herbst 1998.  
 Gould to Duncan - 1997.

Info from Lemhi Cty Assessor.  
 emc.

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 10/31          | 0.400 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.400 CFS             |                      |

Location of Point(s) of Diversion

SALMON RIVER                      NW1/4SW1/4NW1/4                      Sec. 5,    Twp 20N,    Rge 22E, B.M.  
 LEMHI County

Place of Use  
 IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 21N | 22E | 18  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 10.0   |

Total Acres: 10

Conditions of Approval:

1. F01 Water is delivered through the Minzer-Runsten Ditch.

SCANNED  
 OCT 29 2007

Ernie asked me to do  
 an ownership change  
 based on this  
 information. JC  
 10-19-07

# Warranty Deed

For Value Received

J. C. DUNCAN AND CATHY M. DUNCAN, HUSBAND AND WIFE

the grantorS, do hereby grant, bargain, sell and convey unto

RAYMOND V. HERBST II AND RENEE A. RIGGLEMAN HERBST, HUSBAND AND WIFE

whose current address is

RT 1 BOX 156  
SALMON, IDAHO 83467

the granteeS, the following described premises, in LEMHI County Idaho, to wit:

THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NE1/4NW1/4NE1/4) OF SECTION EIGHTEEN (18) TOWNSHIP TWENTYONE (21) NORTH, RANGE TWENTY TWO (22) EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

EXCEPTING THEREFROM THE EXISTING ROAD, KNOWN AS CONLEE LANE ALONG THE NORTH BOUNDARY OF THE ABOVE DESCRIBED PROPERTY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GranteeS, their heirs and assigns forever. And the said GrantorS do hereby covenant to and with the said GranteeS, that they're the ownerS in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 28, 1998

*J.C. Duncan*  
J.C. Duncan

*Cathy M. Duncan*  
Cathy M. Duncan

STATE OF IDAHO, County of Lemhi  
On this 28th day of Sept. 1998  
before me, Notary Public, and for said State, personally appeared

J.C. Duncan and  
Cathy M. Duncan

known to me to be the personS whose nameS are  
subscribed to the within instrument, and acknowledged to me that  
they executed the same

*Tina M. Schock*  
Tina M. Schock

Residing at Salmon  
Comm. Expires 2/6/2004

Notary Public  
Tina M. Schock

SS No. 238273  
Instrument was filed for record at the request of  
*Alliance Title*  
3:12 o'clock p.m. 9-30 1998  
Truly filmed and indexed in the records of Lemhi

Nberla Wiederrick  
Ex-Officio Recorder  
*Linda G. Morton* Deputy

SCANNED  
OCT 29 2007

State of Idaho )  
County of Lemhi

SS No. 238292

This instrument was filed for record at the request  
of Adrianne J. J. J.  
at 3:05 o'clock P in 10-2 1998  
and duly filed and indexed in the records of Lemhi  
County

Alberta Wiederrick  
Ex-Officio Recorder

By P. J. J. J. Deputy

Fee 6.00

Return to \_\_\_\_\_

3. 10/11  
P. J. J. J.

SCANNED  
OCT. 29 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

7600 Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

NORTHERN REGION

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Interim Director

February 14, 2007

SCANNED  
FEB 14 2007

Raymond V Herbst II  
38 Lovers Lane  
Salmon, ID 83467

Re: 75-34A

Dear Mr. Herbst:

We have sent to the Snake River Basin Adjudication Court our recommendation of the enclosed water right. We have received information that you may now own the property and the associated water right. If you do own the property, then you need to file a change in water right ownership form and mail it to this office. Be sure to include a copy of the warranty deed or other document as described in item 2. B.

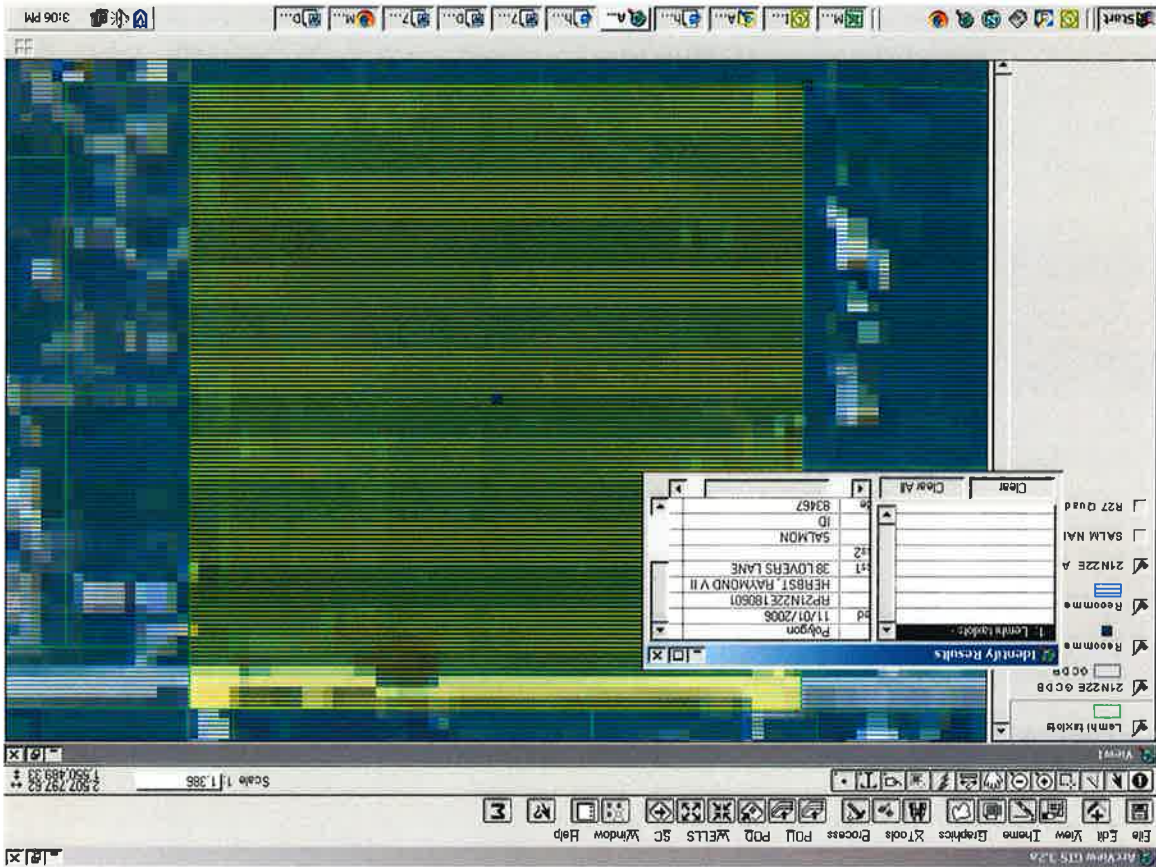
Sincerely,

Kenneth Knoblock  
Water Rights Supervisor

KK: cm

Encl.

75-34A



**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION SECTION  
CLAIM VERIFICATION FIELD EXAM SHEET  
(Use with the ECVR)**

CLAIM NO(s). 75-34A

1. ☐ No Change NAME IS SAME  
☒ NEW OWNER: Raymond Herbst  
☐ No Change ADDRESS  
☒ NEW ADDRESS: 38 Lovers Ln Salmon, ID 83467  
c/o Letter sent 7-28-06 K.S.
2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted  
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: \_\_\_\_\_  
(If the priority date, based on your exam, seems questionable, explain below.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. ☒ No Change — SAME SOURCE  
☐ Source is different than that claimed:

Source found: \_\_\_\_\_

4. No Change — POINT OF DIVERSION  
☒ Point of diversion is different than the claim and/or new P/D's:  
GPS Site Tag No.: A0015026

Township 20 N Range 22 E Section 16 1/4 NW 1/4 SE 1/4 SE  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS  
☐ Incomplete description, list below:

Concrete structure w/ adjustable headgate

6. ☒ No Change - WATER USES  
☐ Different uses, (list uses found):

|           |            |          |              |           |           |
|-----------|------------|----------|--------------|-----------|-----------|
| Use _____ | From _____ | To _____ | Amount _____ | CFS _____ | AFA _____ |
| Use _____ | From _____ | To _____ | Amount _____ | CFS _____ | AFA _____ |
| Use _____ | From _____ | To _____ | Amount _____ | CFS _____ | AFA _____ |

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA

☐ Changes found, the new total is, Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: \_\_\_\_\_ Stock # \_\_\_\_\_ List types: \_\_\_\_\_

Additional comments: \_\_\_\_\_

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

|            |                |             |               |           |           |
|------------|----------------|-------------|---------------|-----------|-----------|
| Use: _____ | Township _____ | Range _____ | Section _____ | 1/4 _____ | 1/4 _____ |
| Use: _____ | Township _____ | Range _____ | Section _____ | 1/4 _____ | 1/4 _____ |
| Use: _____ | Township _____ | Range _____ | Section _____ | 1/4 _____ | 1/4 _____ |
| Use: _____ | Township _____ | Range _____ | Section _____ | 1/4 _____ | 1/4 _____ |

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

Water Delivered through the Minzer - Runsten  
Ditch (S14).

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 06-30-06

FIELD EXAMINER: Asher Barton

Print Name

Asher Barton  
Signature

SCANNED

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: A75-00034A  
Date Received: 4/26/1990  
Receipt No: E013734  
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: ROBERT GOULD 208-756-3312  
Address: RR #1 BOX 156  
SALMON, ID 83467  
OR  
Name: MAXINE GOULD 208-756-3312  
Address: RR #1 BOX 156  
SALMON, ID 83467

2. Date of Priority: APR 01, 1894

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 20N      | 22E   | 5       | NW     | SW     | NW     |     | LEMHI  |

5. Description of diverting works:  
HEADGATE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.400  |      |        |

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
S/ 15 HEAD CATTLE

A7500034A



10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 21N           | 22E   | 18      | NW     | NE  |     | IRR | 10.0  |
| Section Acres |       |         |        |     |     |     | 10.0  |
| Total Acres   |       |         |        |     |     |     | 10.0  |

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
NONE

14. Remarks:  
FLOWS CARRIED BY MINZER - RUNSTEN DITCH.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

H. V. FERGUSON ET AL  
Decree Plaintiff

vs T. FERGUSON ET AL  
Decree Defendant

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): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

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 75-00034A

Date Received 4/26/90

Receipt Number ED13734

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

APR 26 1990

Department of Water Resources  
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Robert or Maxine Gould Phone (208) 756-3312

Mailing Address RR# 1 Box 156 Salmon, Idaho Zip 83467

2. Date of Priority (Only one (1) per claim) April 1, 1894

3. Source of water supply (a) Salmon River

which is tributary to (b) Columbia River

4. a. Location of existing point of diversion is: Township 20 N Range 22 E Section 5,  
NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot, B.M., County of Lemhi

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section , 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section , 1/4 of 1/4 of

1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well.Rock wing into Salmon River 200 yds. long and 8 ft. wide and a concret headgate  
8 ft. wide and 9 ft. deep on the East side of the Salmon River.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov. 1 amount .4 or 20

For Stockwater purposes from April 1 to Nov. 1 amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .4 (cfs) and/or (b) 20 (acre feet)

8. Total consumptive use claimed is 25 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 15 head mixed cattle

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |       | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
|     |     |     | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |        |
| 21N | 22E | 18  |        | 10    |       |       |        |       |       |       |        |       |       |       |        |       |       |       | 10     |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 10

11. In which county (ies) are lands listed above as place of use located? Lemhi

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Water flows in the unston-inzer ditch or None ( X )

14. Remarks:

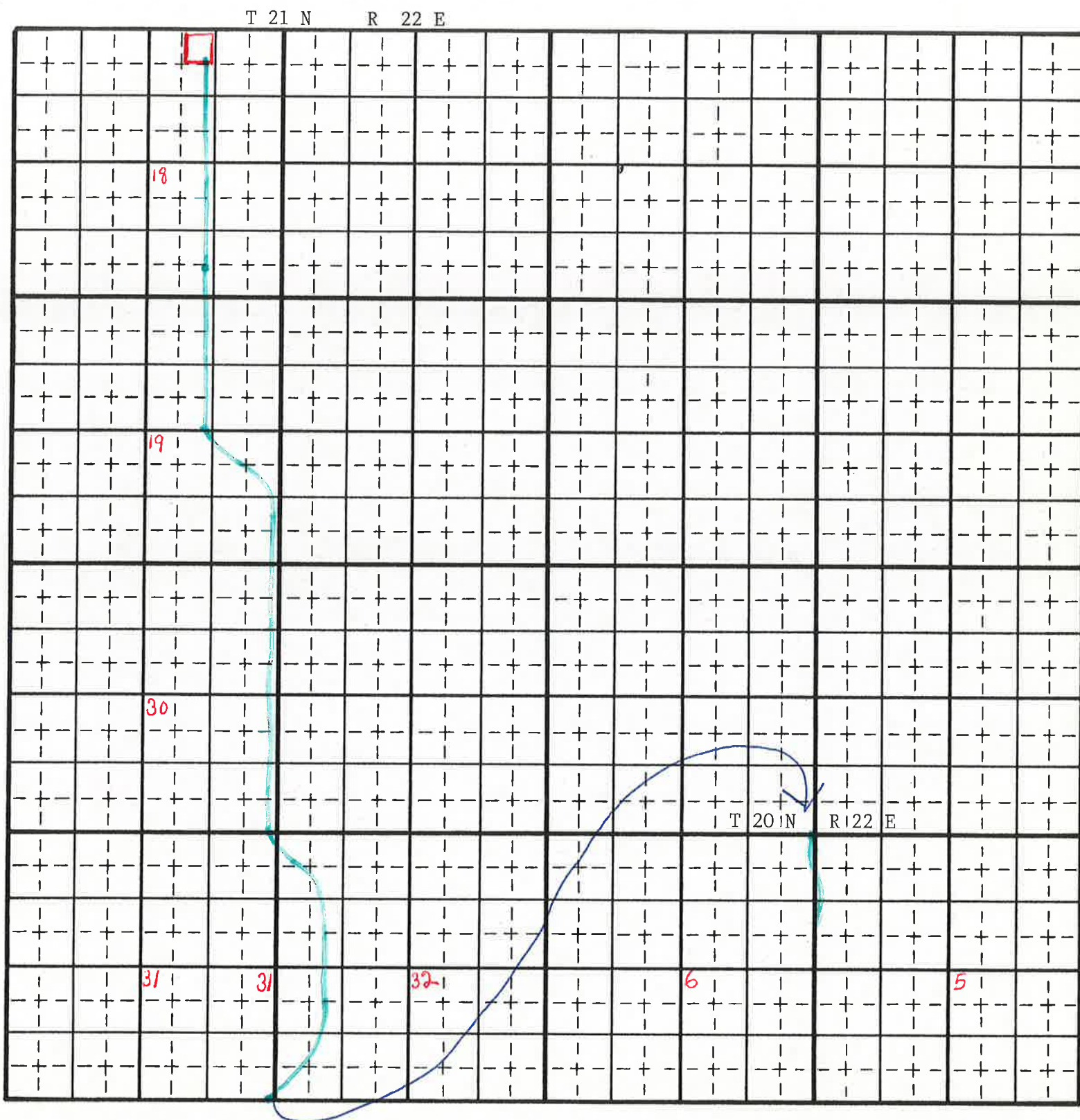
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Last Name Gould Ident No. 75-00034

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile



DEC 15 1992

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree X  
If applicable provide IDWR Water Right Number 75-C  
Court 6th Judicial District Case Number \_\_\_\_\_ Decree Date June 24, 1915  
Plaintiff vs Defendant H.V. Ferguson, et al vs. Thomas Ferguson, et al

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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) X Mafine Gould Date 4-24-90  
\_\_\_\_\_  
Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am \_\_\_\_\_

\_\_\_\_\_  
Title  
of \_\_\_\_\_, that I have signed the foregoing  
Organization  
document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title Organization  
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of LENAHI ) SS.

Subscribed and sworn (or affirmed) before me this 24th day of April 19 90

SEAL

Notary Public Ben Allen

Residing at SALMON

My Commission Expires 2-19-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Last Name Gould Ident. Number 75-00034

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Copies White-State, Yellow-Claimant