

10/20/2003

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

RIGHT NUMBER: 37-1164D
NAME AND ADDRESS: GARY L OSBORNE
1776 S 1625 E
GOODING ID 83330
LUCY C OSBORNE
1776 S 1625 E
GOODING ID 83330

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.060 CFS
PRIORITY DATE: 04/20/1907
POINT OF DIVERSION:

T05S R14E S26 SWNW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.060 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T05S R14E S26 SWNW 2.9

2.9 ACRES TOTAL

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

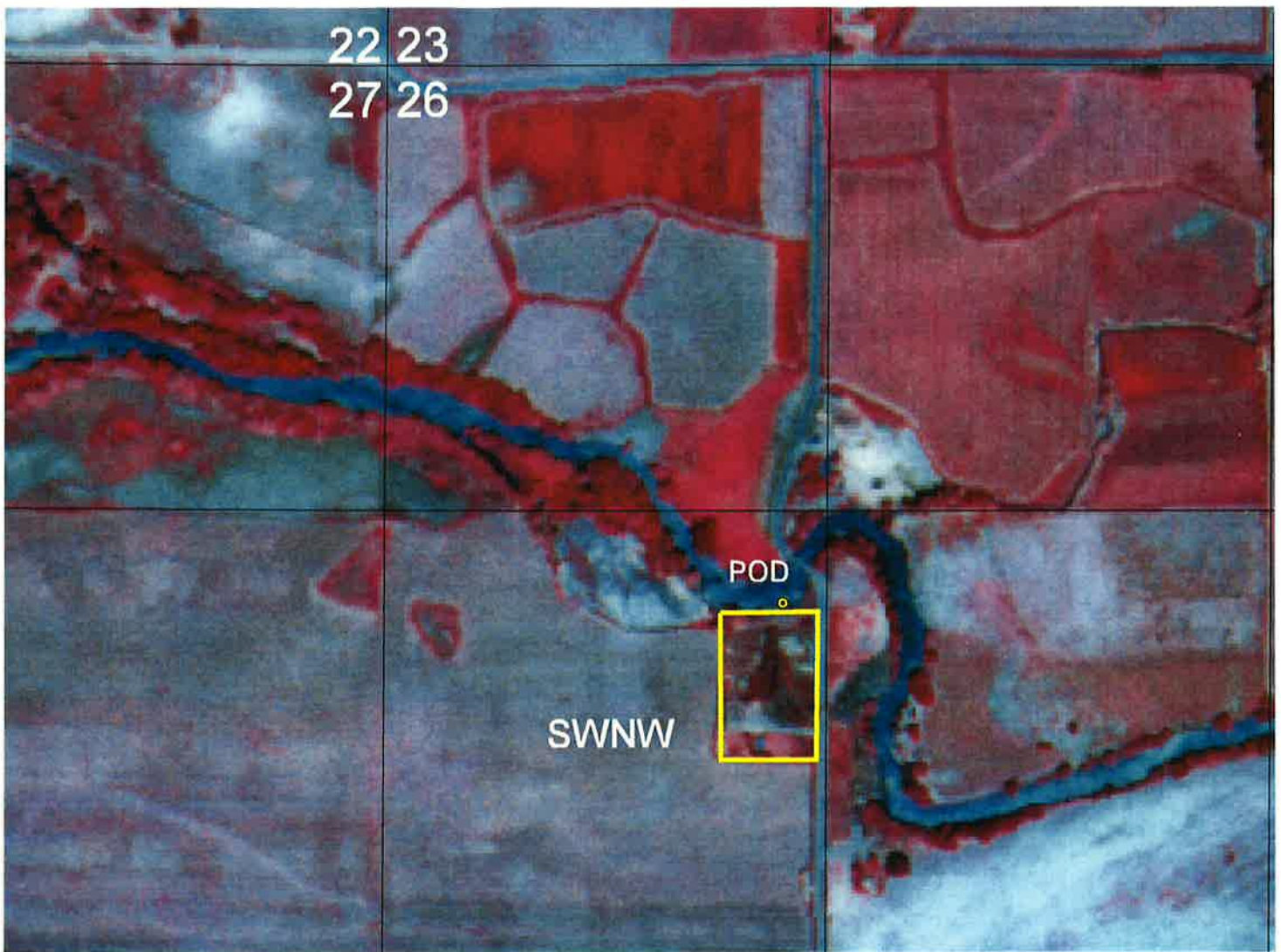
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS
RESERVOIR DIST. NO. 2.

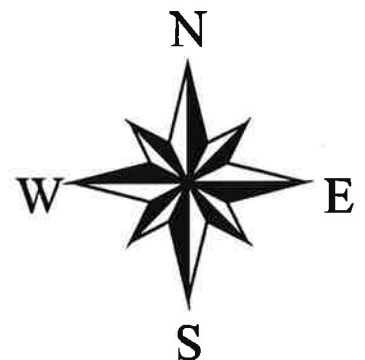
37-1164D



600 0 600 1200 Feet

T05S R14E S26

Map prepared by: Carter Fritschle
Date prepared: 10/20/03
1987-1988 NAPP photography
Idaho Department of Water Resources



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: **A37-01164D**
Date Received: 8/15/1988
Receipt No: C002225
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: GARY L OSBORNE 208-934-5350
Address: 1776 SOUTH 1625 EAST
GOODING ID 83330

AND/OR

Name: LUCY C OSBORNE 208-934-5350
Address: 1776 SOUTH 1625 EAST
GOODING ID 83330

2. Date of Priority: APR 20, 1907

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	14E	26	NE	SW	NW		GOODING

5. Description of diverting works:
PUMP, MOTOR AND SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		

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

8. Total consumptive use is 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	14E	26	SW	NW		IRR	4.0
Section Acres							4.0
Total Acres							4.0

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 MADE 1-5-94 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

KATIE JONES

Decree Plaintiff

SEWELL H. CHAPMAN

vs 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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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First American Title Company

P.O. BOX 446, 342 MAIN STREET, GOODING, IDAHO 83330
TELEPHONE (208) 934-4427

July 22, 1993

Department of Water Resources
Southern Region Office

JUL 23 1993

RECEIVED

Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Re; Winters/Osborne

Dear Gentlemen:

I have enclosed a notice of change of water right ownership form for a recent closing. Please file and let the new Buyer know that you have made the change.

Thank you.

Sincerely,

FIRST AMERICAN TITLE COMPANY

Susan M. Bolton
Manager

Enclosures

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

JUL 23 1993

DATE OF CLOSING: July 7, 1993Department of Water Resources
Southern Region Office

LEGAL DESCRIPTION OF PROPERTY: Township 5 S Range 14 E BM.
 Section 26, SW 1/4 of NW 1/4 of 1/4 Govt. Lot , BM.
 Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) 37-1164 D and 37-11002
Assigned by IDWR:
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Gail P. Winters
4141 Nez Perce #103, Boise, ID 83705
- ☐ New Owner/Claimant (Purchaser): Gary L. Osborne and Lucy C. Osborne
- ☐ New Mailing Address: 1776 South 1625 East
Gooding, ID 83330
- ☐ New Telephone Number: (208) 934-5350
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe Warranty Deed attached
 proof attached:

(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 owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Gary L. Osborne Date 7-7-93
Lucy C. Osborne Date 7-7-93
- ☐ Signature of Former Owner/Claimant(s) Gail P. Winters Date
 Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

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FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1-5-94 By: HB

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 1-5-94 By: HB

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner



WARRANTY DEED

RECEIVED

JUL 23 1993

For Value Received

Department of Water Resources
Southern Region Office

Gail P. Winters, a single woman,

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Gary L. Osborne and Lucy C. Osborne, husband and wife,

hereinafter referred to as Grantee, whose current address is

1776 South 1625 East, Gooding, ID, 83330

the following described premises, to-wit:

See EXHIBIT A attached hereto and made a part hereof.

TOGETHER with 4.79 acres of American Falls supplemental water and 3 inches of river water with a priority date of 4-20-07.

153270

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of **FIRST AMERICAN TITLE**

57 min. past 2 o'clock p.m. this 7
of July, 1993 3:00

JOHN A. MYERS Recorder

By Gail P. Winters Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: July 7, 1993.

Gail P. Winters
Gail P. Winters

STATE OF IDAHO

COUNTY OF Gooding

On This 7th day of July, in the year 1993, before me, a Notary Public in and for said State, personally appeared Gail P. Winters, known or identified to me to be the person whose name is subscribed to the within Instrument, and acknowledged to me that she executed the same.



Susan M. Bolton
Notary Public for Idaho
Residing at Gooding, Idaho
Commission Expires: 10-15-98
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NOV 22 1996

First American Title Company of Idaho

16

EXHIBIT A

Part of the Southwest Quarter of the Northwest Quarter lying South of the center line of Big Wood River in Section 26, Township 5 South, Range 14, East of the Boise Meridian, Gooding County, Idaho, described as follows:

BEGINNING at the intersection with the centerline of Big Wood River as now located and the East boundary of the Southwest Quarter of the Northwest Quarter;

Thence South along the East boundary of said Southwest Quarter of the Northwest Quarter 700.00 feet;

Thence West 330.00 feet;

Thence North parallel with the East boundary of said Southwest Quarter of the Northwest Quarter 500.00 feet more or less to the centerline of Big Wood River as it is now located;

Thence Easterly along the centerline of Big Wood River to the TRUE POINT OF BEGINNING.

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SD-0604-2 Township: 05S Range: 14E Section: 26				Tract: SWNW		Lot:				
S	L	STATE	O	S	Max # Records	98				
E	O	Water	Name	W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
---	---	---	---	---	---	---	---	---	---	---
---	SWNW		A37-01164D	WINTERS, GAIL P.	C	4	D	04/20/1907	01	IRR
---				JONES, KATIE	O					
---	SWNW		A37-11002	WINTERS, GAIL P.	C		J	12/31/1950	43	DOMEST
---									04	STOCK
---	SWNW		A37-11002	WINTERS, GAIL P.	C		J	12/31/1950	43	DOMEST
---									04	STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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STATE

E	First	W	Water	Priority		Total	Use
L	Name	N	Right No.	Date	Source	Diversion	Code Desc

—	GAIL P	C R37-11002	12/31/1950	GROUNDWATER	0.060	43	DOMEST
—						04	STOCK
—	GAIL P.	C A37-01164D	04/20/1907	BIG WOOD RI	0.060	01	IRR
—	GAIL P.	C A37-11002	12/31/1950	GROUNDWATER	0.060	43	DOMEST
						04	STOCK

(Menu _____)

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Old (D) Number -

1 - 1776 SOUTH 1625 EAST

CITY- GOODING

1 - 1776 SOUTH 1625 EAST

GAIL P.

1 - C/O ARDIS CULPEPPER

3 - BOX 665
City- SHELTON

KATIE

City- ?
Phone - 208-000-0000

Source - - - - - +
BIG WOOD RIVER

+ - - - - Tributary - - - - - +
MALAD RIVER

Twn	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion
+	-	-	-	-	-	-	- - - - - +

(47) GOODING

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
0V	CHS					

	01 - IRRIGATION	04/01	11/01	0.060	
- + -	Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +	
	0.060		12.0		

+	Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County	+
---	-----	-----	-----	-------	-----	-------	--------------	-------------	--------	---

	14E	26	SW NW	4.0	01 IRRIGATION	(47) GOODING
05S						

Total Acres: 4.0

Prefix Translation: RESEARCH

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

05-JAN-94 09:25

GARY & LUCY OSBORNE
1776 SOUTH 1625 EAST
GOODING, ID 83330

RE: SRBA CLAIMS: A37-01164D & 11002
WINTERS

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM, WE HAVE CHANGED THE DEPARTMENT'S RECORD(S) AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THE RECORDS(S) FOR ACCURACY.

YOU HAVE ANY MORE QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

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NOV 22 1996

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

RECEIVED

AUG 26 1988

Ident. Number: A37-01164D
Date Received: 8/15/1988
Receipt No: C002225
Received By: JP

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GAIL P. WINTERS 206-426-4946
Address: C/O ARDIS CULPEPPER
BOX 665
SHELTON, WA 98584

2. Date of Priority: APR 20, 1907

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	14E	26	NE	SW	NW		GOODING

5. Description of diverting works:
PUMP, MOTOR AND SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		

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

8. Total consumptive use is 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	14E	26	SW	NW		IRR	4.0
Section Acres							4.0

A37-01164D

Page 1

Date: 08/15/88

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FEB 23 1993

10. Place of Use: Continued

Total Acres 4.0

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: DECREED
Case Number:
Court :
Decree date:

KATIE JONES

Decree Plaintiff

vs

SEWELL H. CHAPMAN

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: 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): *Trill P. Henders* Date: *Aug 15, 1988*
Date: _____

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

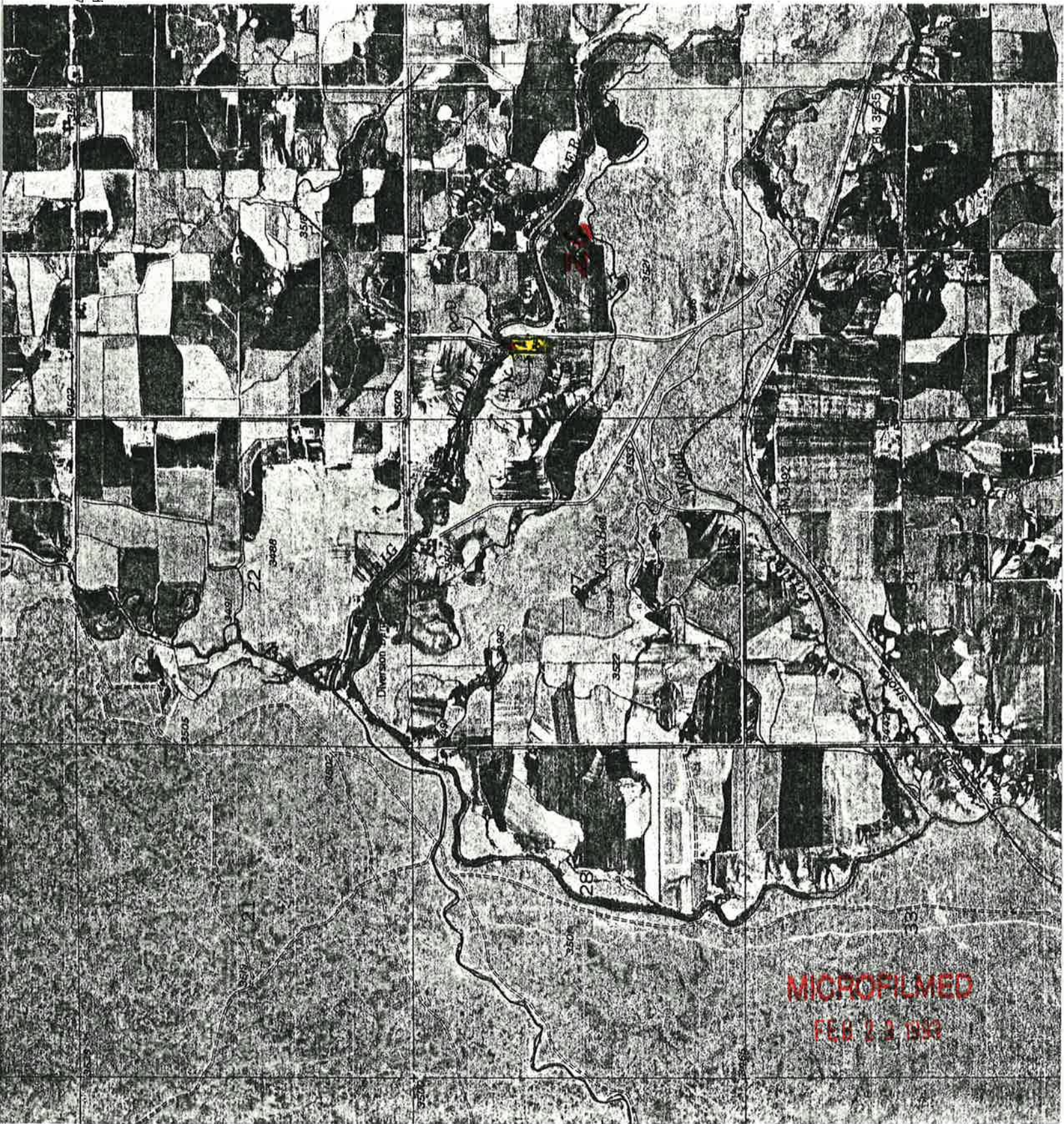
Subscribed and sworn (or affirmed) before me this *15th* day
of *August* 19 *88*

Don L. Bellin
Notary Public

Seal

Residing at *Caldwell, ID*
My Commission Expires *3/31/94*

480 000
FEET



RILE

T5S

MICROFILMED
FEB 11 1982