

02/18/2005

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

RIGHT NUMBER: 37-4146
NAME AND ADDRESS: RAYMOND D BROOKS
PO BOX 628
HAGERMAN ID 83332

DORITA HOFF
PO BOX 628
HAGERMAN ID 83332

SOURCE: SPRINGS TRIBUTARY: SNAKE RIVER
QUANTITY: 0.100 CFS
PRIORITY DATE: 03/15/1950
POINT OF DIVERSION:

T06S R13E S28 NENENE Lot 1 Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.100 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S21 Lot 3 SWSE	1.0	T06S R13E S21 Lot 3 SESE	3.4
T06S R13E S28 Lot 1 NENE	0.5	T06S R13E S28 Lot 1 NWNE	0.1

5 ACRES TOTAL

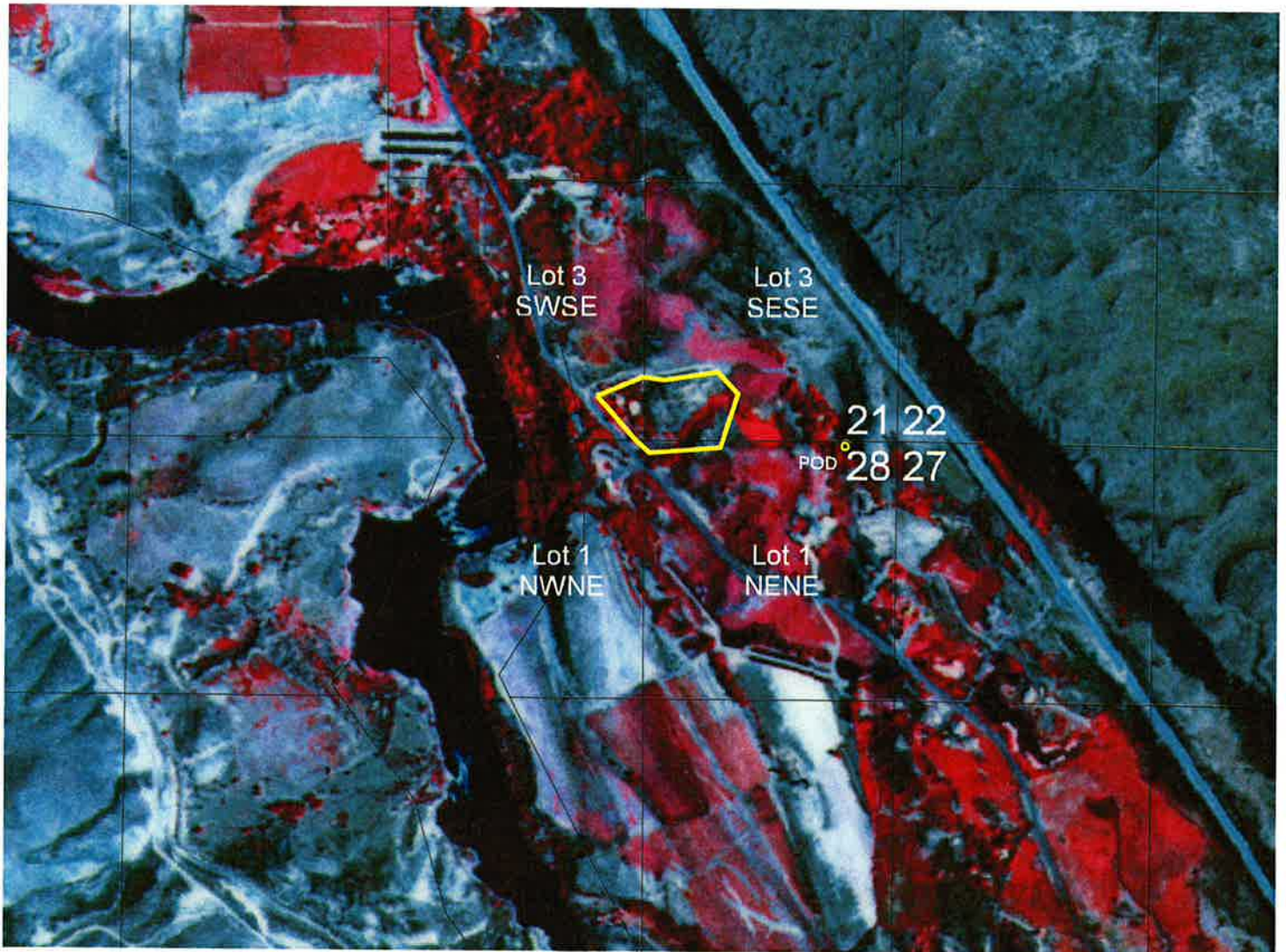
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Beneficial Use

Source is also known as Montana Mining Company Ditch Spring No. 1.

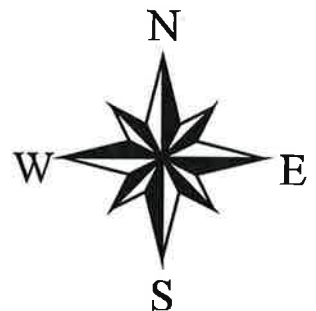
37-4146



800 0 800 1600 Feet

T06S R13E S21

Map prepared by: Carter Fritschle
Date prepared: 02/18/05
1987-1988 NAPP photography
Idaho Department of Water Resources



8/26/2004

page 1 of 2

Ray Brooks/Dorita Hoff
P.O. Box 628
Hagerman, ID 83332

RECEIVED

AUG 31 2004

DEPARTMENT OF
WATER RESOURCES

Carter Fritschle
Idaho Dept. of Water Resources
P.O. Box 83720
Boise, ID 83720

Dear Mr. Fritschle:

Enclosed are affidavits and documentation to prove first date of beneficial use on our property at 580 River Rd., Hagerman. Although our water right only dates from 1950, it was not easy to assemble evidence of beneficial use at that date. Rather than a single piece of evidence, the enclosed affidavits and documentation conclusively proves beneficial use of water by 1960 at the latest.

Chronologically my enclosures are:

1950. Affidavit by Aldrich Bowler, close neighbor and Idaho treasure, who helped build the house we live in. First beneficial use of water.

1954. A Deed Record that shows a water right of fifty inches of water from a spring.

1950's mid. An affidavit by Dr. Peter Bowler, who remembers the first orchard cultivated on our land. The gentleman he mentions rented from Howard Kelso, who bought the property in 1954.

1960. A photo from the book "Teater's Knoll," of our property that shows an orchard, row crops and other beneficial use improvements. Affidavit by its author, Henry Whiting.

1965 approx. Two photos that show corrals, livestock and fruit trees on our property. Affidavit by Ray Brooks.

1967. An aerial photo that shows much evidence of agriculture on our property.

2004. Photos of fruit tree stumps on our property and an affidavit that dates the trees to 1959-1962.

Also since all this area was at one time under Bell ownership: there is some evidence that our eastern 2 acres were flood-irrigated pasture or hay field for the old stone stage station on Juan Menchacha's property, that is directly east of ours. This use would date back to the late 1800's.

What we discovered in producing the above evidence is that: the USGS no longer has photos of our area that date before 1960 and is in fact discontinuing selling aerial photos, the Gooding County Assessor's office had microfilm of, but could not produce old tax records that would show agricultural deductions, the Gooding County Recorder's office could only furnish a incomplete record of ownership since 1950. We are very grateful to have older neighbors with memories and photos.

Sincerely,



Ray Brooks & Dorita Hoff

RECEIVED

AUG 31 2004

DEPARTMENT OF
WATER RESOURCES

AFFIDAVIT

State of Idaho
County of Gooding

BEFORE ME, the undersigned Notary, SUZANNE K. JENSEN,

On this 30th day of AUGUST, 2004, personally appeared Aldrich Bowler,

Known to me to be a credible person and of lawful age, who being by me first duly sworn, on his oath, deposes and says:

In 1950 I helped construct the ground floor of the house that Ray Brooks and Dorita Hoff now reside in at 580 River Road. The owner Keith Gilmore had been a tenant of mine. They used water from the spring creek that flows through that property. They sold the property after the Bliss Dam construction was finished.

Carleton and Edith Cross bought the property in 1960. Mr. Cross was an arborist and did work for other property owners on their fruit trees, as well as growing fruit trees on his own property.

Aldrich Bowler
Signature

Aldrich Bowler
Name

555 E. River Rd.
Address

Bliss, ID 83314
City, State, Zip

Subscribed and sworn to before me, this 30th day of AUGUST, 2004.

Suzanne K. Jensen
Notary Signature

SUZANNE K. JENSEN
Notary



NOTARY PUBLIC

My commission expires: 08/04, 2010.

DEED RECORD No. 47—GOODING COUNTY, IDAHO

PREAMBLE

No. 125780

This Indenture, Made this 31st day of August in the year of our Lord one thousand nine hundred and fifty four, between Iris M. Thompson, a widow, of Bliss, County of Gooding, State of Idaho, the party of the first part, and Howard Kelso, a bachelor,

of Bliss, County of Gooding, State of Idaho, the party of the second part, ^{WITNESSETH} That said party of the first part, for and in consideration of the sum of SEVEN THOUSAND FIVE HUNDRED & NO/100 (\$7500.00) DOLLARS, lawful money of the United States of America, to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns, forever, all the following described real estate situated in Gooding County, State of Idaho, to-wit:

That part of Lot Three (3), Sec. 21, Twp. 6 S. R. 13 E. B.M.,

lying North and east of Idaho highway #30 as presently constructed,

Except tract heretofore conveyed by deed of record in book 7,

page 259, of the records of deeds of said Gooding County, .29 acres.

Except also deed of record in book 41, page 553 of the same

records, conveying 1.24 acres.

Together with fifty inches of water from a spring and recorded for use on this land.

Possession to be given September 15, 1954.

Abstract showing marketable title to be furnished as soon as convenient by party of the first part.

Said Idaho Highway # 30 has in previous conveyances been referred to as the "Idaho Pacific Highway".

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity, of the said party of the first part;

(\$8.25 U.S.I.R. STAMPS ATTACHED AND CANCELLED)

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said party of the first part, and her heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said party of the first part, and her heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal, the day and year first above written.

Signed, Sealed and Delivered in the Presence of -

IRIS M. THOMPSON (Seal)

STATE OF IDAHO,

County of Gooding }
before me, the undersigned
personally appeared Iris M. Thompson, a widow,
known to me to be the person whose name is
executed the same.

On this 31st day of August, 1954,
a Notary Public

in the year 1954,
in and for said County, State

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(NOTARY SEAL)

BRANCH BIRD

Notary Public for the State of Idaho,
Residing at Gooding, Idaho.

aining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity, of the said part Y of the first part:

(38.25 U.S.I.R. STAMPS ATTACHED AND CANCELLED)

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances, unto the part Y of the second part, and to his heirs and assigns forever. And the said part Y of the first part, and her heirs, the said premises in the quiet and peaceable possession of the said part Y of the second part, his heirs and assigns, against the said part Y of the first part, and her heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said part Y of the first part has hereunto set her hand and seal, the day and year first above written.

Signed, Sealed and Delivered in the Presence of -

IRIS M. THOMPSON (Seal)

STATE OF IDAHO,

} ss.

County of Gooding On this 31st day of August in the year 1954, before me, the undersigned, a Notary Public in and for said County, State of Idaho, personally appeared Iris M. Thompson, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(NOTARY SEAL)

BRANCH BIRD

Notary Public for the State of Idaho,
Residing at Gooding, Idaho.

Recorded at the request of Helen Cox
at 11:30 o'clock A. M., this 6th day of
Dec. 5 1954

December 6th A.D. 1954
Bert Bowler

AFFIDAVIT

State of Idaho
County of Gooding

BEFORE ME, the undersigned Notary, SUZANNE K. JENSEN,

On this 20th day of AUGUST, 2004, personally appeared Peter Bowler,

Known to me to be a credible person and of lawful age, who being by me first duly sworn, on his oath, deposes and says:

I was born in 1948, and grew up near Ray Brooks & Dorita Hoff's property at 580 River Road, Hagerman, ID. I spent much time during my childhood on the property adjacent to theirs to the east. I do remember a gentleman who lived on the property at 580 River Road in the mid-1950's named Jessie Story or Storey. He started a fruit orchard on the property at 580 River Road.

Peter A. Bowler
Signature

Peter A. Bowler, Ph.D.
Name

555 E. River Rd.
Address

Bliss, ID 83314
City, State, Zip

Subscribed and sworn to before me, this 20th day of AUGUST, 2004.

Suzanne K. Jensen
Notary Signature

SUZANNE K. JENSEN
Notary



NOTARY PUBLIC

My commission expires: 08/04, 2010.

AFFIDAVIT

State of Idaho
County of Gooding

BEFORE ME, the undersigned Notary, STACEE CLARK,

On this 24 day of AUGUST, 2004, personally appeared, Henry Whiting,

Known to me to be a credible person and of lawful age, who being by me first duly sworn, on his oath, deposes and says:

The photo on page 113 of my book "Teater's Knoll" shows both the Teater house about 1960, as well as the property currently owned by Ray Brooks and Dorita Hoff at 580 River Road, in the right foreground. I believe the trees pictured under cultivation on the Brooks-Hoff property are fruit trees.


Signature

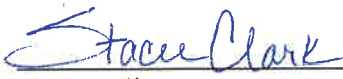
Henry Whiting
Name

P.O. Box 101 (583 River Road)
Address

Bliss, ID 83314
City, State, Zip



Subscribed and sworn to before me, this 24th day of August, 2004.


Notary Signature

STACEE CLARK
Notary

NOTARY PUBLIC
My commission expires: 1-14, 20 05.



COMING AROUND THE BEND IN
THE HIGHWAY the sight of the white-
roofed Teater Studio was dramatic
in 1960, before the landscaping
matured

(PHOTOGRAPH BY HISTORICAL PHOTOGRAPH)

Photo from book "Teaters Knowl"
Author, Henry Whiting.

THE DINING AREA AND FIREPLACE
of the main studio room. The hang-
ing light fixture above the dining
table was designed by Patricia

(PHOTOGRAPH BY HISTORICAL PHOTOGRAPH)

AFFIDAVIT

State of Idaho
County of Gooding

BEFORE ME, the undersigned Notary, SUZANNE K. JENSEN,

On this 19th day of AUGUST, 2004, personally appeared Ray Brooks,

Known to me to be a credible person and of lawful age, who being by me first duly sworn, on his oath, deposes and says:

The two enclosed black and white photograph copies each show a view East from the driveway of the Teater house, of our property at 580 River Rd. dated approximately 1965. This date is based on another photo submitted under affidavit dated 1960, and the ensuing growth of trees, on the Teater property, shown clearly in the 1960 photo. Our property is in the background of this picture on the other side of then Hwy 30 (now River Road). Well-maintained fences and corrals show evidence of agriculture and animal husbandry, representing constructive use of water. A cow is visible in photo # 1. Mature trees on the far right of photo mark the orchard. Two old diseased trees remained from the orchard when we purchased the property in 1991.

Prior property owner Jerry Boyd told me a 1950's owner of our property had raised hogs just across Hwy 30 from the Teater House because "Mrs Teater had annoyed him and he wished to annoy them in kind, by raising hogs as close to the Teater house as possible." Remnants of the hog pens were present when we acquired the property in 1991.

Ray Brooks
Signature

Ray Brooks
Name

P.O. Box 628 (580 River Rd.)
Address

Hagerman, ID 83332
City, State, Zip

Hagerman, ID 83332
City, State, Zip

Hagerman, ID 83332
City, State, Zip

Subscribed and sworn to before me, this 19th day of AUGUST, 2004.

Suzanne K. Jensen
Notary Signature

SUZANNE K. JENSEN
Notary

SUZANNE K. JENSEN
Notary

NOTARY PUBLIC

My commission expires: 08/04, 2010.



Photo #1 View East From Teater Property of S&O River Road - approx. 1965

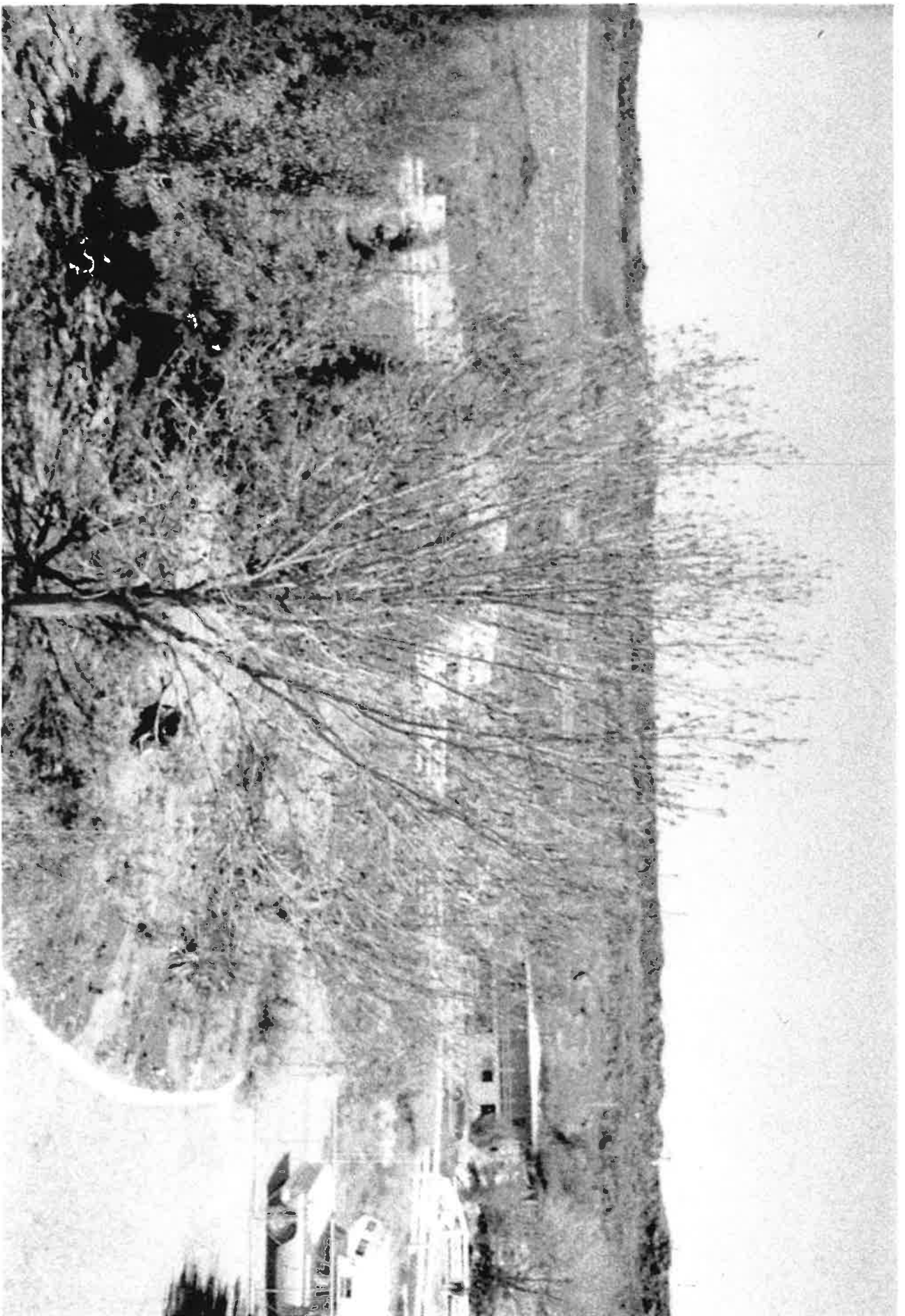


Photo #2 View East From Teater Property of SSC River Rd - approx 1965



AFFIDAVIT

State of Idaho
County of Gooding

BEFORE ME, the undersigned Notary, SUZANNE K. JENSEN,

On this 19th day of AUGUST, 2004, personally appeared Ray Brooks,

Known to me to be a credible person and of lawful age, who being by me first duly sworn,
on HIS oath, deposes and says:

I am sending Idaho Department of Water Resources a reproduction of a aerial photo that shows our property at 580 River Road, Hagerman, ID, T 6S., R 13 E. Sec 21 on 5/22/1969. I obtained this photo from the NRCS office in Gooding Idaho from Bob Josaitis on 8/17/2004. The photo is the earliest I could obtain that shows evidence of beneficial use of water right on our property. Our property is outlined in yellow. The photo clearly shows a dense concentration of trees, that corresponds with other photos and affidavits we are submitting, of an orchard on our property. There is also visible what we have been told are hog pens, adjacent to old Hwy 30, on the N.W. corner of our property. The photo also shows an area under cultivation on the east end of our property.

Ray Brooks
Signature

Ray Brooks
Name

P.O. Box 628, (580 River RD.)
Address

Hagerman, ID 83332
City, State, Zip

Subscribed and sworn to before me, this 19th day of AUGUST, 2004.

Suzanne K. Jensen
Notary Signature

SUZANNE K. JENSEN
Notary



NOTARY PUBLIC

My commission expires: 08/04, 2010.

AFFIDAVIT

State of Idaho
County of Gooding

BEFORE ME, the undersigned Notary, Luann Geer,

On this 24th day of Aug., 2004, personally appeared Ray Brooks,

Known to me to be a credible person and of lawful age, who being by me first duly sworn, on his oath, deposes and says:

Attached are photos of stumps of two trees on our property at 580 River Road, Hagerman, Idaho. Based on my Bachelor of Science degree in Forest Resource Management from the University of Idaho, I believe the following: The photo of the Black Cherry stump shows a tree of age 35-40 years. We cut the tree down in 2002, so it was planted in about 1962-1967. The photo of the Mulberry tree stump shows a tree of age 30-32 years. We cut the tree down in 1991, so it was planted about 1959-1961. Both non-native fruit tree stumps represent constructive use of water in the period starting about 1959.

Ray Brooks
Signature

Ray Brooks
Name

P.O. Box 628, (580 River Rd.)
Address

Hagerman, ID. 83332
City, State, Zip

Subscribed and sworn to before me, this 24th day of August, 2004.

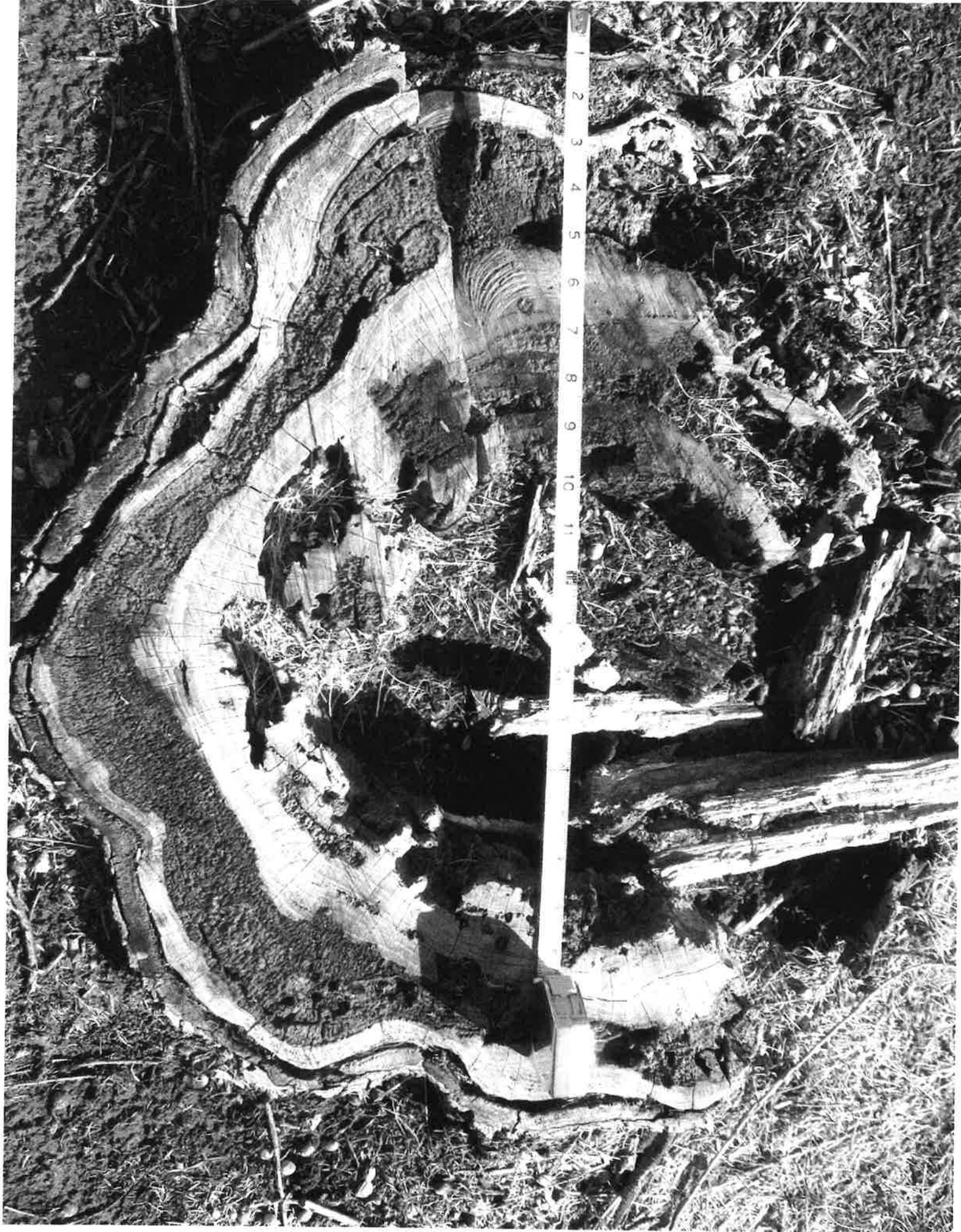
Luann Geer
Notary Signature

Luann Geer
Notary

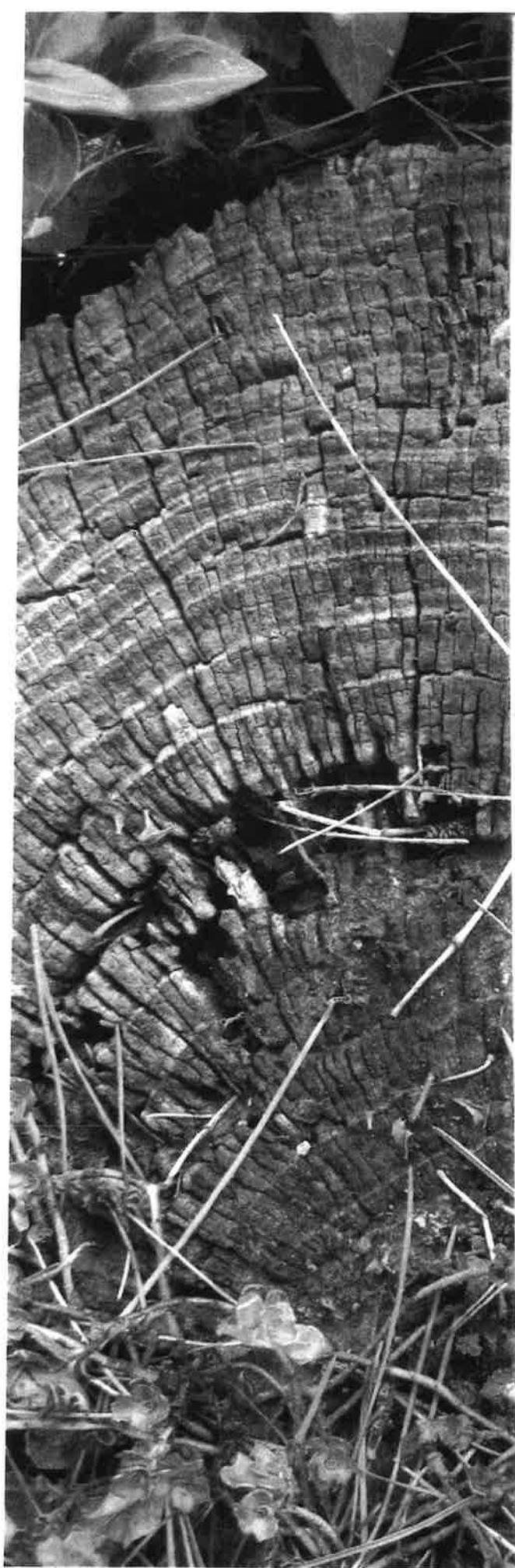


NOTARY PUBLIC
My commission expires: 4-19, 2008.

My Commission Expires On
April 19, 2008



Black Cherry - cut down 2002 - Age 35-40 years / Moreau



1
2
3
4
5
6
7
8
9
10
11



Mulberry Tree - Cut Down 1991 - Age 30 - 32 years - 580 River Rd

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Jerry W. Boyd (Name of Claimant)
Star Route Box 19 Bliss ID 83314 (Mailing Address) Telephone No. 837-4461 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) Jan. 1, 1950

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Springs tributary to Snake River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.10</u>	Use <u>irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity	<u>.04</u>	Use <u>domestic</u>	Period of Use From <u>1/1/</u>	To <u>12/31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) .10 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SE ¼, Sec. 21 Twp. 6S Rge. 13E B.M., County of Gooding
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. dam & 4 - 1 inch Orangeburg pipeline

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	13E	21															1	4	5

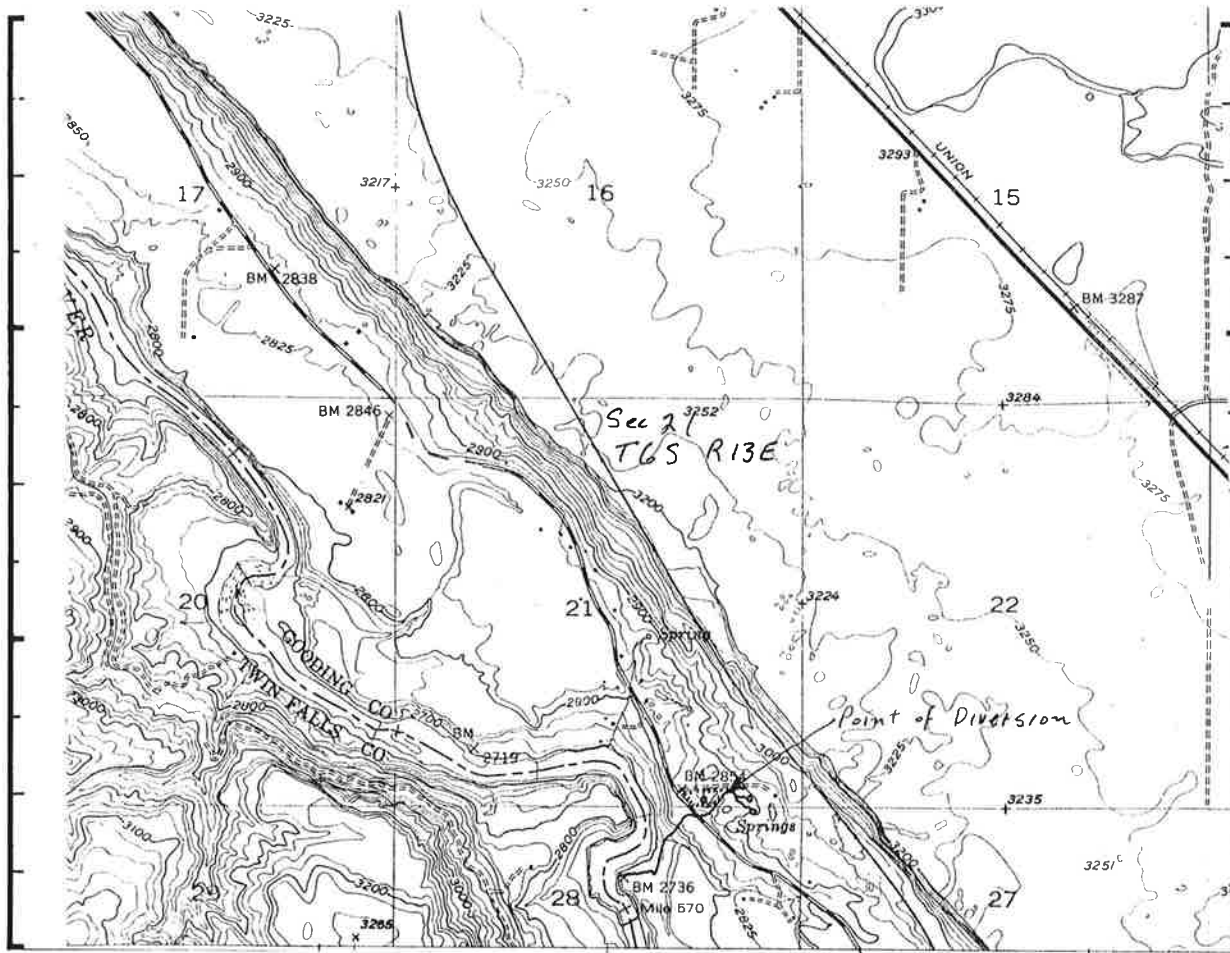
No. of acres 5

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: domestic use in one home

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 17th day of April, 1980.

Jerry W. Boyd
(Claimant)

Loren O. Halmer
Notary Public
Residing at Twin Falls, Id

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>Lgt</u>	Date <u>4-17-80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>W. Sullivan</u>	Date <u>4-18-80</u>		claimant by:	
\$20.00 fee received by <u>meets</u>	Date <u>4/17/80 #16401</u>			
Published in <u>Gooding Co. Leader</u>				
Dates <u>4/24/80 5/1/80</u>				

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: **A37-04146**

Date Received: 8/18/1988

Receipt No: S001541

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAYMOND BROOKS 208-837-6448
Address: PO BOX 628
HAGERMAN ID 83332

AND/OR

Name: DORITA HOFF 208-837-6448
Address: PO BOX 628
HAGERMAN ID 8333-2

2. Date of Priority: JAN 1, 1950

3. Source: SPRINGS Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	13E	21	SE	SE			GOODING

5. Description of diverting works:
DAM & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	13E	21	SW	SE	3	IRR	1.20

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	21	SE	SE	3	IRR	4.0
Section Acres							5.0
Total Acres							5.0

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:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: _____

MICROFILMED
FEB 23 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DEC 29 1992

Department of Water Resources
RECEIVED

DEC 31 1992

Department of Water Resources
Southern Region Office

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 6 South Range 13 East
Section 28, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.

Lot 1, 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)
Assigned by IDWR: A 37-04146

☐ Name and Address of Former Owner/Claimant(s)(Seller): Jerry W. Boyd and Sandra Dee Boyd

1326 Maple Ave.

☐ New Owner/Claimant (Purchaser): Twin Falls, ID 83301

AND/OR*

Raymond Brooks and Dorita Hoff

☐ New Mailing Address: P.O. Box 628

Hagerman, ID 83332

☐ New Telephone Number: (208) 837-6448 *PER PHONE CALL 1/5/93 MS HOFF &

☐ 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 proof attached: 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 owner/claimant.)

☐ Signature of New Owner/Claimant(s) [Signature] Date 11/22/92

Date 11/22/92

☐ Signature of Former Owner/Claimant(s): _____ Date _____

Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1/12/93 By: LC

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

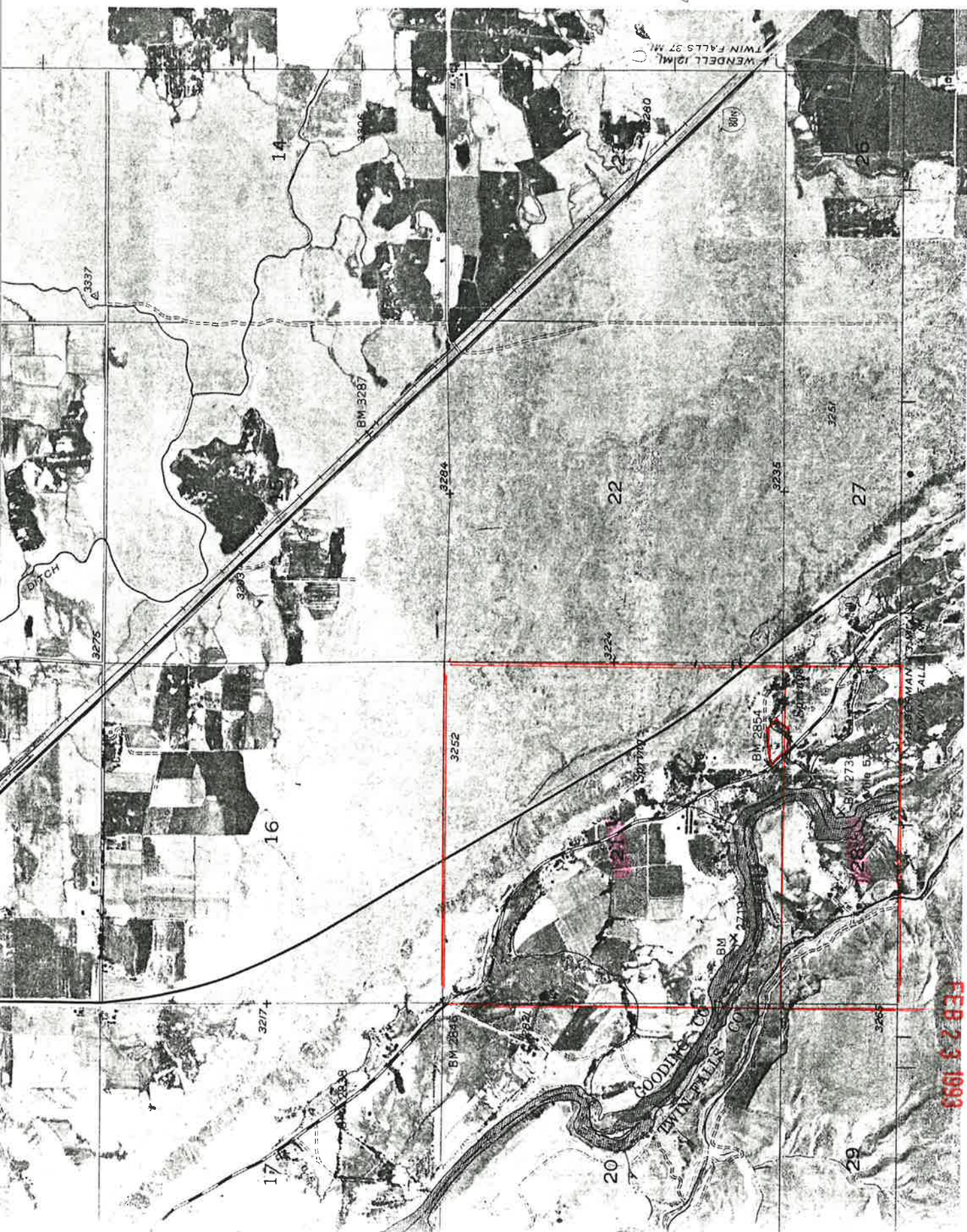
Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED
FEB 23 1993

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

Obs
13E



47 50000m.N.

42°52'30"

673000m.E. 114°52'30"

SCALE 1:50000
MICROFILMED
FEB 23 1993
666 E 283

MILE

2000 FEET

4000

8000

12000

16000

SD-0601-2 Last Name: BOYD

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	BOYD						
-	JERRY W.	C	A37-04146	01/01/1950	SPRINGS	0.100	01 IRR
-	SANDRA D.	C	A37-04146	01/01/1950	SPRINGS	0.100	01 IRR
-	RUBY G.	C	R37-10781	06/01/1982	GROUNDWATER	0.040	43 DOMEST
-	JERRY W.	C	A37-11032	01/01/1975	GROUNDWATER	0.040	43 DOMEST
-	SANDRA D.	C	A37-11032	01/01/1975	GROUNDWATER	0.040	43 DOMEST
-	RUBY G.	C	A37-10781	06/01/1982	GROUNDWATER	0.040	43 DOMEST
-	ROBERT D.	C	A37-07868	11/13/1980	GROUNDWATER	0.060	01 IRR
-							43 DOMEST
-	CAROL S.	C	A37-07868	11/13/1980	GROUNDWATER	0.060	01 IRR
-							43 DOMEST
-	CARL W.	C	A37-10751	10/12/1985	GROUNDWATER	0.040	43 DOMEST
-	JANET R.	C	A37-10751	10/12/1985	GROUNDWATER	0.040	43 DOMEST
-	CARL W.	C	R37-10751	10/12/1985	GROUNDWATER	0.040	43 DOMEST
-	JANET R.	C	R37-10751	10/12/1985	GROUNDWATER	0.040	43 DOMEST
-	LAWRENCE A	O	A37-01226	03/26/1929	SPRINGS	3.000	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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Water Right Number: A37-04146

Adjudication Places of Use Screen

Date: 01/05/93

Time: 13:21:34

Total Records: 2

FIRST PAGE

[illegible]

(GOLD2=Update) —
(GOLD3=Del POU's)

```
(GOLD4=Prev Screen)
(GOLD5=Next Screen)
```

(GOLD6=End of Data)

```
(Enter=Exit)
(GOLD8=Cancel)
```

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FEB 23 1993



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-1993 15:31

RAYMOND BROOKS
DORITA HOFF
PO BOX 628
HAGERMAN ID 83332

RE: ADJUDICATION CLAIM NO. A37-04146

DEAR CLAIMANTS:

This letter is in regard to the CHANGE OF OWNERSHIP on the above-referenced Adjudicated Claim. In checking the place of use for your five acres, it is unclear as to just where the land lies. I am sending you a copy of the map with your legal description. Please mark your acres in red on the map and send back to this office to my attention. That area does indicate government lots and your Warranty Deed lists government lots, but when the agent took the Claim, none was marked.

Should you have any questions concerning this change, please feel free to call me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosure

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FEB 23 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: A37-04146
Date Received: 8/18/1988
Receipt No: S001541
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JERRY W. BOYD 208-837-4461
Address: HC 60 BOX 1130
BLISS, ID 83314

AND/OR
Name: SANDRA D. BOYD 208-837-4461
Address: HC 60 BOX 1130
BLISS, ID 83314

2. Date of Priority: JAN 01, 1950

3. Source: SPRINGS Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	13E	21	SE	SE	SE		GOODING

5. Description of diverting works:
DAM & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A37-04146

Page 1

Date: 08/18/88

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	21	SW	SE		IRR	1.0
			SE	SE		IRR	4.0
						Section Acres	5.0
						Total Acres	5.0

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:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): Jerry W. Boyd Date: 18 Aug 88
Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of August 19 88 Loni White
Notary Public

Seal

Residing at TF
My Commission Expires 5/95



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

12-Jan-1993

RAYMOND BROOKS
DORITA HOFF
PO BOX 628
HAGERMAN ID 83332

RE: ADJUDICATION CLAIM NO. A37-04146

DEAR CLAIMANTS:

Thank you for being so prompt in answering my letter of Jan 5, 1993. I have added Government Lot 3 to your above-referenced Claim's place of use, for clearer identification for your legal description. I am enclosing a copy of your Adjudication Claim for your records.

Should you have any questions concerning your Adjudicated Claim, please feel free to call me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosure

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FEB 23 1993

Water Right Number - R37-04146 Prefix Translation: RESEARCH OLD (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***

BROOKS RAYMOND 1 - PO BOX 628 State- ID Zip- 83332
2 -
3 -
City- HAGERMAN
Phone - 208-837-6448
1 - PO BOX 628
2 -
3 -
City- HAGERMAN
Phone - 208-837-6448

HOFF DORITA 1 - HC 60 BOX 1130 State- ID Zip- 83314
2 -
3 -
City- BLISS
Phone - 208-837-4461
1 -
2 - HC 60 BOX 1130
3 -
City- BLISS
Phone - 208-837-4461

*** O - ORIGINAL OWNER ***

BOYD JERRY W. 1 - BENEFICIAL USE + - - - - Status - - - - +
2 -
3 -
City- BLISS
Phone - 208-837-4461

BOYD SANDRA D. 1 - TRIBUTARY - - - - - +
2 -
3 -
City- BLISS
Phone - 208-837-4461

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
01/01/1950 17 SOUTHERN J - BENEFICIAL USE

+ - - Source - - - - - + + - - - - Tributary - - - - - +
SPRINGS SNAKE RIVER

+ - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	Rflg	County
06S	13E	21	SE SE	(47)	GOODING	

+ - - Description Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 0.100

+ - Total Div. Rate - - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.100 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	13E	21	SW SE	3	1.0	01	IRRIGATION	(47) GOODING
06S	13E	21	SE SE	3	4.0	01	IRRIGATION	(47) GOODING

Total Acres: 5.0

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FEB 23 1993

Water right number - R37-04146 Prefix Translation: RESEARCH

+ - - Diversion Means - DAM & PIPELINE.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - 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

+ - - - - - Comments - - - - -
Date: 01/12/1993 User Id: GIVENS Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP RECEIVED 12/29/92 STATE OFFICE FORMER OWNER JERRY W AND/OR SANDRA DEE BOYD NEW OWNERS RAYMOND BROOKS AND/OR
DORITA HOFF. COPY OF WARRANTY DEED SUBMITTED WITH FORM.

+ - - Audit Fields - - - +
01/12/93 GIVENS

+ - - - - - 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 - 08/18/1988 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - S001541 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - AND/OR Presumption Flag -
Notice of Error Flag -

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