

05/14/2002

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

RIGHT NUMBER: 37-4273

NAME AND ADDRESS: BONNIE ARKOOSH
2177 E 1375 S
GOODING ID 83330

MICHAEL A ARKOOSH
PO BOX 93
GOODING ID 83330

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.11 CFS
18.0 AFY

RIGHT NOS. 37-4273 AND 37-4274 ARE LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 0.11 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF
18 AF.

PRIORITY DATE: 01/01/1925

POINT OF DIVERSION:

T05S R15E S10 NESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS 10.80 AFY
DOMESTIC	01/01 12/31	0.110 CFS 7.20 AFY

PLACE OF USE: STOCKWATER Within GOODING County

T05S R15E S10	NESE	T05S R15E S10	SESE
T05S R15E S11	NWSW	T05S R15E S11	SWSW

DOMESTIC Within GOODING County

T05S R15E S10 SESE

THE DOMESTIC USE FOR RIGHT NOS. 37-4273 AND 37-4274 IS LIMITED TO 6
HOMES.

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

THE STOCKWATER USE FOR RIGHT NOS. 37-4273 AND 37-4274 IS LIMITED
TO 800 CATTLE.

37- 4273

37- 4274

Affidavits from Bonnie Arkoosh support ground water use before 1920 for 37-4273 and 1948 or 1949 for 37- 4274

Affidavit from well driller Jim Eaton also supports 1948-1949 priority date for 37- 4274.

6 homes 0.11 cfs Appendix II Idaho Water
6 x 1.2 AF = 7.2 AF Law Handbook

800 cattle x 12 gal/day/cattle = 9600 gal/day
9600 gal/day x 365 days = 3,504,000 gal/year
3,504,000 gal = 10.8 AF
325,850 gal/AF

Total combined cfs is 0.11 cfs

Total combined volume is 18 AF

Water measurement records show well capacities estimated at 0.03 cfs and 0.04 cfs. 0.11 cfs will be used for both with a combined limit of 0.11 cfs.

RECEIVED

APR 12 2002

Department of Water Resources

Bonnie Arkoosh
2177 E. 1375 S.
Gooding, Idaho 83330

Phone (208) 934-5014

April 10, 2002

Carter Fritschle
Water Rights Supervisor
State of Idaho
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

RE: Water Right No. 37-4273
Civil Case No. 39576
Evidence of Priority Date

Dear Sir:

No one that I know of is now alive that knows for sure when this well was drilled. My husband George Arkoosh (now deceased) was born in 1910. George told me that this well was in existence when his family moved to this place when he was ten years old, which would mean the well was drilled prior to 1920.

Thank you for your time and consideration in this matter. If you have any questions, please feel free to contact me.

Sincerely,

Bonnie Arkoosh

Bonnie Arkoosh

Subscribed and sworn to (or affirmed) before me
this 10th day of April, 2002



Philip A. Brown
Notary Public

My Commission Expires 6-15-07

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 37-4273
Date Received: 9/2/1988
Receipt No: S002052
Received By:

COPY FOR YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MICHAEL A ARKOOSH Phone: (208)934-8464

PO BOX 93
GOODING ID USA 83330

BONNIE ARKOOSH Phone: (208)934-5014

2177 E 1375 S
GOODING ID USA 83330

2. Date of Priority: 01/01/1925

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	15E	10	SW NE SE	GOODING	

5. Description of diverting works:

WELL, PUMP, STOCK TANKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.04	
DOMESTIC	1/01	12/31	0.24	

7. Total Quantity Appropriated is:
0.28 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	15E	10	NE	SE	STOCKWATER	
			SE	SE	STOCKWATER	
			SE	SE	DOMESTIC	
05S	15E	11	NW	SW	STOCKWATER	
			SW	SW	STOCKWATER	

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:

PRIORITY BASED ON INFORMATION OBTAINED FROM LOCAL WELL DRILLER.

15. Basis of Claim: Statutory Claim



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 7, 2002

37-4273

MICHAEL A ARKOOSH
PO BOX 93
GOODING ID 83330

RESPONSE DEADLINE
APRIL 12, 2002

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. I will be conducting field examinations for the SRBA claims with a Ground Water source in your area in late March and early April. Since the priority date of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129. If you have multiple claims that require evidence of priority date, the labels with the identification numbers of the additional claims are attached below. Please submit evidence of the priority date for each of your beneficial use rights. Also, if there are multiple claimants of the claim at the same address, the additional claimants are identified on the labels attached below.

Sincerely,

Carter Fritschle
Water Rights Supervisor

Enclosures

37-4274
MICHAEL A ARKOOSH
PO BOX 93
GOODING ID 83330



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 7, 2002

37-4273

BONNIE ARKOOSH
2177 E 1375 S
GOODING ID 83330

RESPONSE DEADLINE
APRIL 12, 2002

Re: Evidence of Priority Date

Dear Claimant:

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Sincerely,

Carter Fritschle
Water Rights Supervisor

Enclosures

37-4274
BONNIE ARKOOSH
2177 E 1375 S
GOODING ID 83330



37-4273 7-16-1992

37-4273

WMD**POD Data****05S 15E 10 SWNESE**

Legal Description	GPS Site ID	Diversion Name	Meas Option	POD
05S 15E 10 SWNESE	A0006800	NORTH WELL #1		400009
Latitude 043:00:05.148	Longitude -114:39:19.463	GPS File C120921A	Waived (5)	
Comments SHOULD BE WAIVED; ESTIMATED SYSTEM CAPACITY = 0.03 CFS				

Site Visits

Site Visit Date	Site Examiner	Reason	Change Date:
10/11/2000	BSCHOLER	Flowmeter Calibration	11/22/2000
Notes: The owner has not installed a meter yet. I decided to waive the measurement for this year(2000). This will indicate the nature and status of the system for reporting purposes.			
12/9/1997	CHODGES	Inventory	
Notes: They owner's of this right have decided to install a flow meter instead of amending their adjudication claim. We have spoken and they can install one meter for both wells. See other well for meter measurements.			
DAN 2-23-98			

[ALL DISTRICTS]

100

10

Menu

10

1

 ArcView...T197 Micros...Micros. |

2:50 PM



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 24, 1999

GEORGE ARKOOSH
PO BOX 93
GOODING ID 83330

Re: AMENDING CLAIMS A37-04273 AND A37-04274

Dear Mr. Arkoosh,

We spoke last week about amending the QUANTITY for these two claims from .28 cfs to .24 cfs, in order for you to opt out of the measurement district. When I pulled the claims, I realized that they had been filed in the names of Michael and/or Bonnie Arkoosh. You cannot amend these claims until the ownership is in your name. I have enclosed a Notice of Change of Water Right Ownership form for your use, should you wish to change ownership. Please follow the instructions on the back, especially to the REQUIRED information under item 2.

If you have any questions, feel free to give me a call at the office.

Sincerely,

A handwritten signature in cursive script that reads "Jeanie".

Jeanie Robertson
Sr. Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

March 4, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MAR 06 1996

MICHAEL ARKOOSH
714 3RD AVE EAST
GOODING ID 83330

Department of Water Resources
Southern Region

Re: Snake River Basin Adjudication (SRBA)
Notices of Claim #36-10822, A37-04404A, A37-04273,
A37-04274 & A37-11242
Change of Address

Dear Claimant,

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claims can be sent only to the address on your claims or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. That action will suffice to provide adequate notice to IDWR but not to the SRBA court. SRBA Judge Hurlbutt issued an Amended Order March 22, 1995 requiring claimants like yourself identified in a Director's Report (water right #36-10822 only) to use Standard Form 3 for change of address or ownership. We have enclosed Standard Form 3 for your use. Please contact this office (800/451-4129) or the Court (208/736-3011) if you have any questions.

Thank you for your help. We hope to assure you receive future notices about SRBA matters.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

Enclosures:

Standard Form 3

#####

The address is correct as shown above or as otherwise changed.

Claimant

MICROFILMED
NOV 27 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 Snake River Basin Adjudication Case
No. 39576

Notice of Filing Director's Report and Supplemental
Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH
THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT.
THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PRO-
CEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

RECEIVED

APR 24 1995

Department of Water Resources

RECEIVED

MAR 06 1996

Department of Water Resources
Southern Region

MICHAEL ARKOOSH

PO BOX 93 714 3rd St. E.D.

GOODING

ID 83330

she said she didn't think it was 714, but is on 29-96

MICROFILMED
NOV 27 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

Ident. Number: A37-04273
Date Received: 8/25/1988
Receipt No: 5002052
Received By: Adm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BONNIE ARKOOSH 208-934-5014
Address: 2177 EAST 1375 SOUTH
GOODING, ID 83330

AND/OR
Name: MICHAEL ARKOOSH 208-934-8464
Address: P.O. BOX 93
GOODING, ID 83330

2. Date of Priority: JAN 01, 1925

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	15E	10	SW	NE	SE		GOODING

5. Description of diverting works:
WELL, PUMP, STOCK TANKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.240		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/800 RANGE D/6 HOMES

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	15E	10	NE		SE		STOCK	
			SE		SE		STOCK	
			SE		SE		DOMEST	
		11	NW		SW		STOCK	
			SW		SW		STOCK	

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:

A37-04274 SUPPLIES SAME HOMES FROM DIFFERENT WELL.

14. Remarks:

PRIORITY BASED ON INFORMATION OBTAINED FROM LOCAL WELL DRILLER.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
FEB 24 1993

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): Michael Ankers Date: 9/2/88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of Sept. 19 88 Allen D. Menet
Notary Public

Seal

Residing at Finberly, ID
My Commission Expires 6/30/99

MEMORANDUM

TO: GENERAL FILE
FROM: DANIEL A NELSON
DATE: 1-2-97
SUBJECT: MICHAEL & BONNIE ARKOOSH

I called Mr. George Arkoosh concerning the West Measurement District file for Michael and Bonnie Arkoosh on 1-2-97. According Mr. Arkoosh he was waiting for Cindy Hodges of the State Office to inform him as to what steps he needed to take. According to the file Cindy Hodges performed the well inventory for this place of use and discovered that the system was below the standards for the measurement district. According to Cindy there are two wells on this place of use that are connected together. the combined rate of the two wells is below the WMD standards and so I have recommended that there adjudication claims be amended so the assessment for the WMD can be waived. I have listed each well separately below to show Cindy Hodges findings during her inventory inspection.

North Well:

Adjudication Claim Number - A37-04273
Pump Size ----- 3/4 Hp
Estimated Diversion Rate -- .03 cfs
Recommendation ----- Amend Claim to .12 cfs or less

South Well:

Adjudication Claim Number - A37-04274
Pump Size ----- 1 Hp
Estimated Diversion Rate -- .04 cfs
Recommendation ----- Amend Claim to .12 cfs or less

If you have any questions please contact me at the Southern Office of IDWR.

Thank you

Daniel A. Nelson
Assistant Hydrographer
West ESPA Measurement District

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

ARKOOSH and ZIDAN, Inc.

(Name of Claimant)

Box 1 Gooding IDA

(Mailing Address)

83330

(Zip Code)

Telephone No. 924-5014

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:

- 2 (1) Date of priority: (When was the water first applied to a beneficial use) 1-1-1945

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)

groundwater

tributary to

N/A

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From	(Mo., Day)	To	(Mo., Day)
Quantity	0.04 cfs	Use	stockwater	Period of Use From	Jan 1	To	Dec 31
Quantity	0.24 cfs	Use	Domestic	Period of Use From	1	To	1
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	

- (4) 0.28 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 SE 1/4, Sec. 10 Twp. 5S Rge. 1SE 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.

well, motor, pump, stock tanks

- (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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	1SE	10													X			X	
		11										X	X						
5S	1SE	10																X	

No. of acres

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

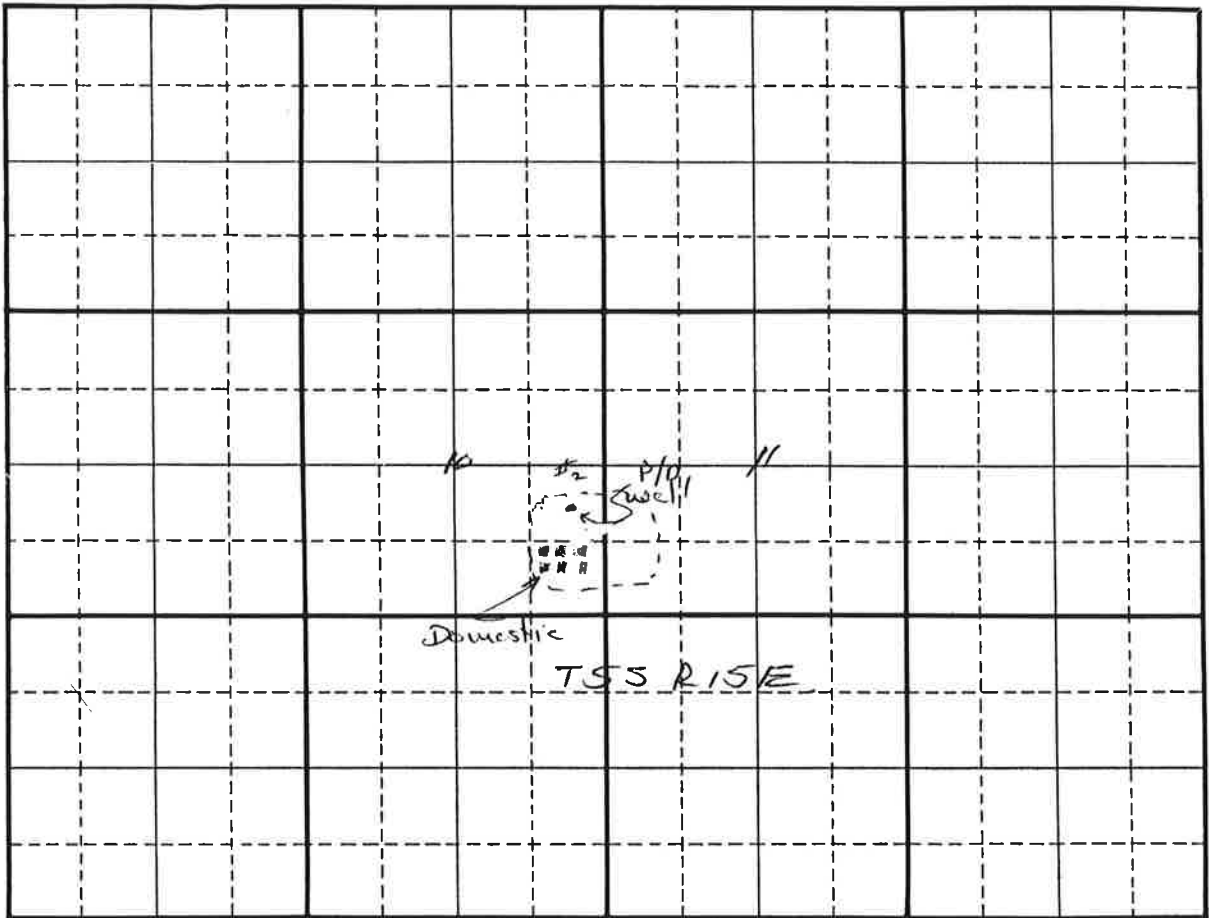
(6) Homes

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

800 Hd Range Cattle

- (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.

Arbush & Zedman
x Bz Michael Arbush, Director
(Claimant)

Sworn to before me this 6 day of January, 1983.

Mary A. Hill
Notary Public
Residing at Twin Falls, id 83301

My commission expires life

FOR DEPARTMENT USE ONLY

Received by SA Date 1/6/83 Exception filed by: _____ Date _____
Prelim. check by SA Date 1/9/83 Forwarded to claimant by: _____
30.00 ~~20.00~~ fee received by 22222222 Date 1/6/83 # 23910
Published in Gooding Off. Leader
Dates 2/23 & 3/2/83