

09/13/2005

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

RIGHT NUMBER: 37-4304

NAME AND ADDRESS: KATHLYN A LOCKE
2126 S 1500 E
GOODING ID 83330

ROBERT B LOCKE
2126 S 1500 E
GOODING ID 83330

SOURCE: WASTE WATER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.000 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/15/1950

POINT OF DIVERSION:

T06S R14E S22 NWSE 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	1.000 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R14E S22 SWNW 17.0 T06S R14E S22 SENW 36.0

STOCKWATER same as IRRIGATION

53 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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.

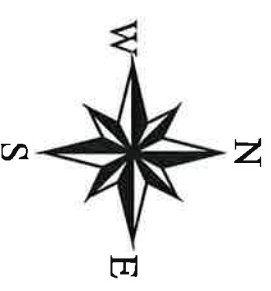
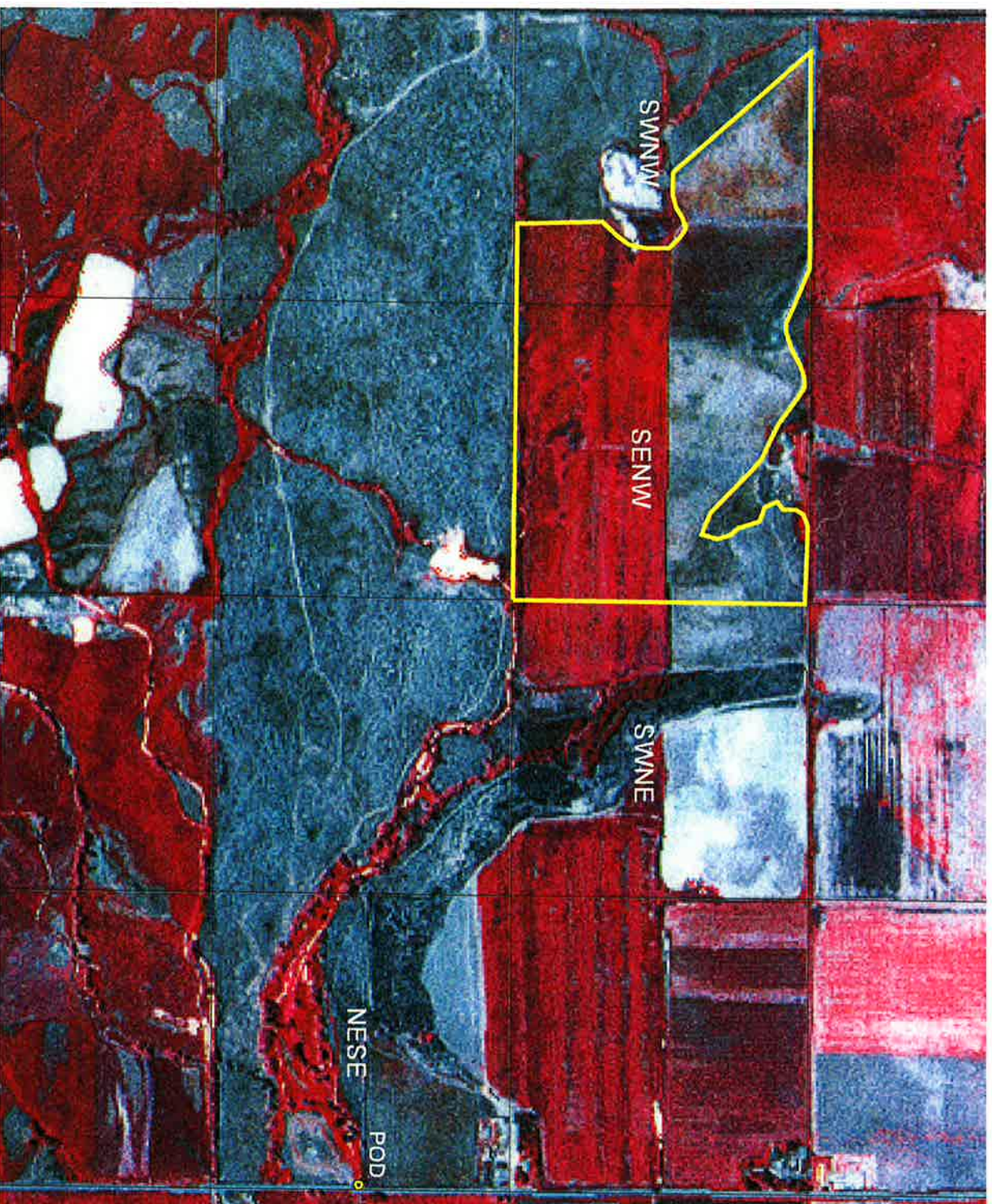
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The source of this right is waste water originally diverted by Big Wood Canal Co.

Use of this right is combined with water from Big Wood Canal Co.

37-4304

**T06S R14E
S22**



900

0

900

1800

2700 Feet

Map prepared by: Carter Fritschle

Date prepared: 01/22/03 - Revised 09/13/05

1987-1988 NAPP photography

Idaho Department of Water Resources

03/15/2005

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

RIGHT NUMBER: 37-4304

NAME AND ADDRESS: RICHARD B STRICKLAND
2151 S 1600 E
GOODING ID 83330

KATHLYN A LOCKE
2126 S 1500 E
GOODING ID 83330

ROBERT B LOCKE
2126 S 1500 E
GOODING ID 83330

SOURCE: WASTE WATER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.000 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/15/1950

POINT OF DIVERSION:

T06S R14E S22 NWSE 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	1.000 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R14E S22	SWNE	10.0	T06S R14E S22	SWNW	18.0
T06S R14E S22	SENE	36.0			

STOCKWATER same as IRRIGATION

64 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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

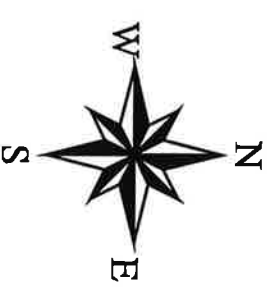
EXPLANATORY MATERIAL: Beneficial Use

The source of this right is waste water originally diverted by Big Wood Canal Co.

Use of this right is combined with water from Big Wood Canal Co.

37-4304

**T06S R14E
S22**



Map prepared by: Carter Fritschle
Date prepared: 01/22/03 - Revised 12/06/04
1987-1988 NAPP photography
Idaho Department of Water Resources

Contacts Data Entry Form

Claim Number 37-4304

NEW OWNER
Bob Locke

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	<i>Dead</i> RICHARD B STRICKLAND	2151 S 1600 E	GOODING	ID	83330	(208) ~~934-5078~~ <i>5055</i>

Date of Field Exam: 9-16-04 Time: 8:30 AAccompanied By: Bob Locke Phone Number: 934-5055Relationship to Claimant: Son-in-law

Directions to Property (if different from above) and/or update owner information:

4 mi West - 1 1/2 South of Gooding



Lee R. Peterson
234 S View Rd
Jerome, ID 83338-6448

Date: 9-16-04

Point of Diversion and Source Data Entry Form

Claim Number 37-4304

Claimed Point of Diversion and Source

T06S R14E S22 SESENW Within GOODING County Source: WASTE WATER MALAD RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T06S R14E S22 SWNE Within GOODING County

T06S R14E S22 SWNW Within GOODING County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

WASTE FROM NEIGHBORS BIG WOOD RIVER

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
<u>6S</u>	<u>14E</u>	<u>(22)?</u>			<u>Gooding</u>	

Other rights from this POD? NO

Document how the POD and Source were verified:

Bob Locke & I reviewed Polar Photo and he
took me to ^{new} POD - the old POD no longer exists
and hasn't for some time - GPS - see color photo
Rich #1 2436974 1298623 ^{plate} Acc 13790 ^{photo} 1030319

Reviewer: Date: 9-16-04

Place Of Use Data Entry Form

Claim Number 37-4304

Claimed Place Of Use

T06S R14E S22 SWNE 8.0 T06S R14E S22 SWNW 21.0
 T06S R14E S22 SENW 35.0

Total Acres 64

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T06S R14E S22 SWNE 8.0 T06S R14E S22 SWNW 21.0
 T06S R14E S22 SENW 35.0

Total Acres 64

OK By Bob

Recommended Place of Use

☐ See corrections to claimed POU above

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
65	HE	22			Gooding		64	Irrigation - Stock

Total Acres _____

Document how the POU was verified:

Bob showed me the land water is used on
 and he approved yellow area on color photo

Reviewer: _____



Date: _____



Period of Use and Quantity Data Entry Form

Claim Number 37-4304

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/15	SOME TIMES 10/15	FEW YRS 1	NO SOURCE OF MEQ.
STOCKWATER	1/01	12/31	0.02	

Overall Diversion Rate 1

Overall Diversion Volume

UNPREDICTABLE - EACH DAY & YEAR IS DIFFERENT

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/15	10/15	1	
STOCKWATER	1/01	12/31	0.02	

Overall Diversion Rate 1

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIG & STOCK	when available	when runs out		

Overall Diversion Rate

THIS YEAR VERY LITTLE

Overall Diversion Volume

VERY SMALL

Document how the Period of Use and/or Diversion Rate were verified:

THERE IS NO WATER NOW AND HASN'T BEEN FOR SOME TIME - THESE PAST YEARS HAVE BEEN REAL BAD AND SHORT AND WATER & SEASON VARIES DAY BY DAY YEAR BY YEAR.

Reviewer: Date: *9-16-04*



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

July 30, 2004

*new owner
Bob Locke*
37-4304 *dead*
RICHARD B STRICKLAND
2151 S 1600 E
GOODING ID 83330

Re: Evidence of Priority Date

Dear Claimant:

RESPONSE DEADLINE
AUGUST 27, 2004

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 historic 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. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed and the historic use of the water.

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 the priority date and of the historic use 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 and the historic use 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.

Sincerely,

Carter Fritschle
Water Rights Supervisor

Enclosures

Bob Locke told me he has sent in all sales papers & etc.

37-4304

T06S R14E S22



he took me to new PoD

Bob on 4/3/00 never



Map prepared by: Carter Fritschle
Date prepared: 01/22/03
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: A37-04304
Date Received: 7/ 2/1992
Receipt No: S014699
Received By: See

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD B STRICKLAND 208-934-5078
Address: 2151 S 1600 E
GOODING ID 83330

2. Date of Priority: JAN 1, 1935

3. Source: WASTE WATER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	14E	22	SE	SE	NW		GOODING

5. Description of diverting works:
CHECK DAM, DITCH, PIPELINE, POND, PUMP TO SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.000		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 192.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 60 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	14E	22	SW	NE		IRR	8.0
			SW	NW		IRR	21.0
			SE	NW		IRR	35.0

MICROFILMED
FEB 24 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	64.0
					Total Acres	64.0

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: 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): Richard B. Strickland Date: 7-2-92

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 2ND day

of July 19 92

Seal

Stuart A. Allen
Notary Public

Residing at Twin Falls

My Commission Expires Dec 7, 1994

22.3
HEL

T6S
R14E

90
T-127

105
T-149

1267 + 59.22 23
T-227

104
T-148

279
T-403

MICROFILMED
FEB 24 1993

POU

~ 64 ACRES

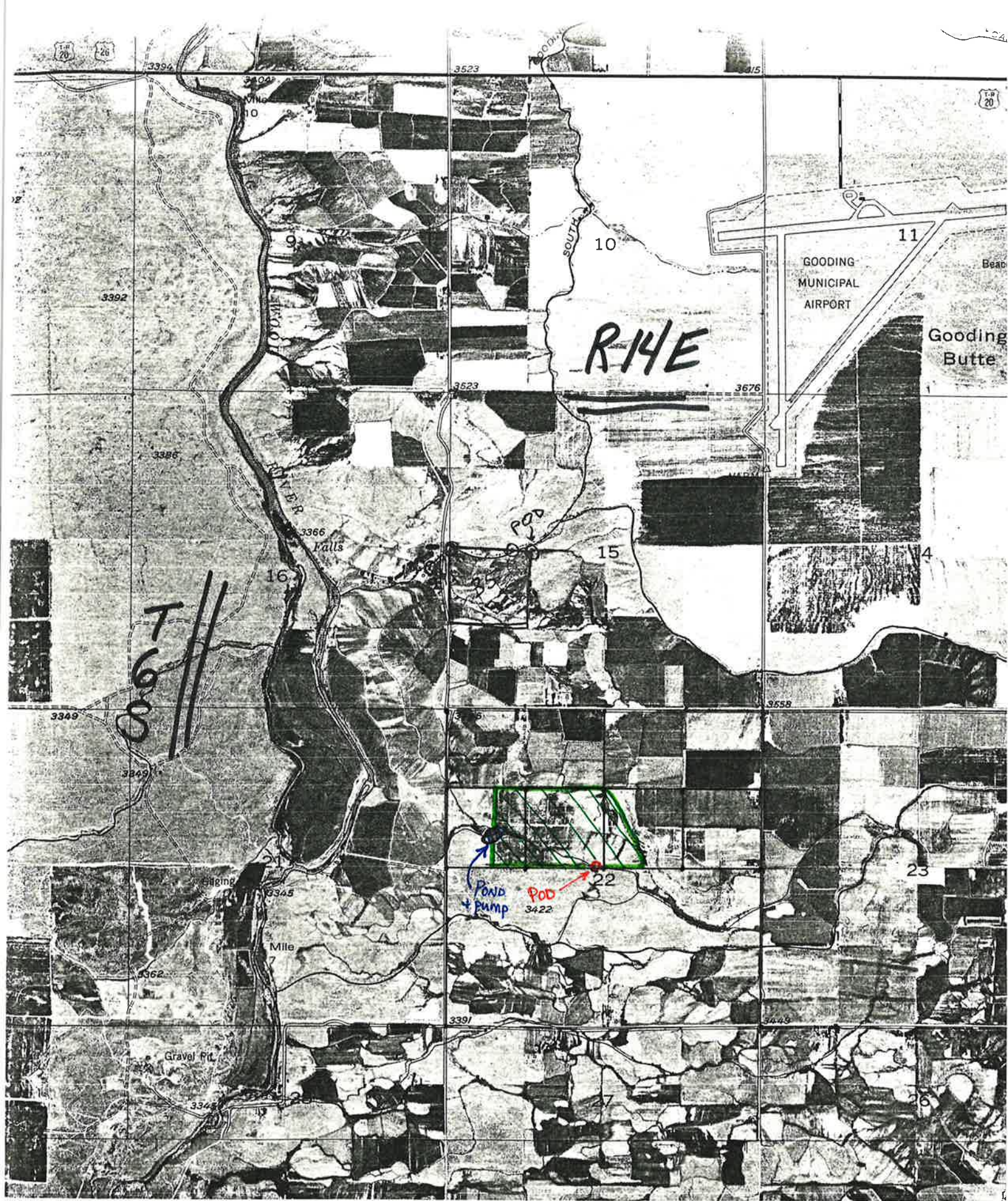
A37-04304

POD

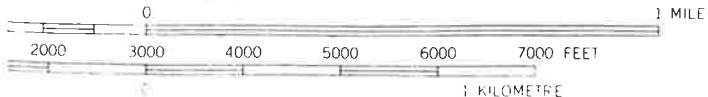
POND

COVERED
BY CANAL 7
SHARES 24.8

DITCH
FLOW



SCALE 1:24 000



683000m. E.
MICROFILMED
FEB 24 1993

Water Right Number - 37-04304

Prefix Translation: WATER RIGHT Old (D) Number -

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

*** C - CURRENT OWNER ***
STRICKLAND

RICHARD B.

1 - RT.2 BOX 192
2 -
3 -

State- ID Zip- 83330

City- GOODING
Phone -

+ - - - - Priority Date - - - + + - - - - Region - - - + + - - - - Stage - - - + + - - - - Status - - - - +
01/01/1935 17 SOUTHERN S - STATUTORY CLAIM

+ - - - - Source - - - - + + - - - - Tributary - - - - - +
WASTE WATER MALAD RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot Rflg County Stream Index (Blank if no Index Code)

06S 14E 22 SW NE (47) GOODING
SE SW NW (47) GOODING

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

01 - IRRIGATION 04/15 10/15 1.000
04 - STOCKWATER 01/01 12/31 0.020

+ - - - - Total Div. Rate - - + + - - - - Total Div. Volume - + + - - - - Total Div. Capacity - - +
1.000

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
06S 14E 22 SW NE 8.0 01 IRRIGATION (47) GOODING
06S 14E 22 SW NW 21.0 01 IRRIGATION (47) GOODING
06S 14E 22 SE NW 35.0 01 IRRIGATION (47) GOODING

Total Acres: 64.0

+ - - - - Diversion Means - CHECK DAM, DITCH, PIPELINE, POND, PUMP TO SPRINKLER

+ - - - - Non-Irrigation Use - S/60 RANGE

+ - - - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

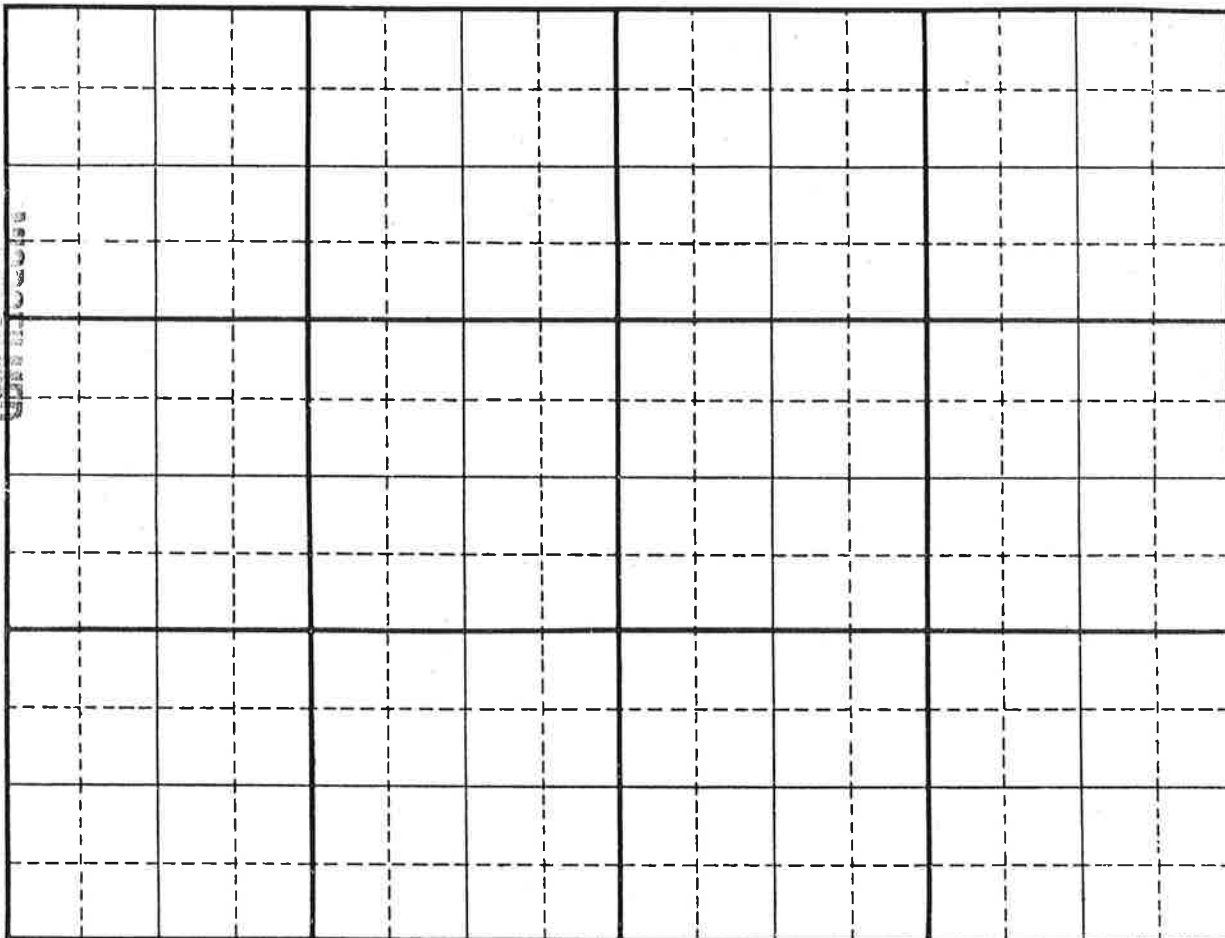
+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

MICROFILMED
FEB 24 1993

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-
Exam to S.O. Date	-	00/00/0000	Verified Date	-	04/11/1986	DLE/Carey Act	-
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-
Decree Date	-	00/00/0000	Presumption Flag	-			-

MICROFILMED
FEB 24 1983

(8) Remarks Original ditch system was replaced by pond & pump in 1960. Originally the
natural drainage ran thru the field, but now runs along south side of place & into
pond.



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 Gooding) 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.

Richard B. Strickland
(Claimant)

Sworn to before me this 12th day of April, 19 83.

Donna Rae Jucker
Notary Public
Residing at Gooding

My commission expires Life term

FOR DEPARTMENT USE ONLY

Received by J. F. Stanton Date 4-12-83 Exception filed by: _____ Date _____
Prelim. check by ADN Date 4/18/83 Forwarded to claimant by: _____
\$30.00 fee received by A. J. Date 4-15-1983 #27220
Published in Gooding Co. Leader
Dates 5/18 & 5/25/83

