

11/13/2006

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

RIGHT NUMBER: 75-14092

NAME AND ADDRESS: DALE F GOOBY
18 SAVAGE RANCH RD
SALMON ID 83467

SOURCE: WALLACE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.190 CFS

PRIORITY DATE: 04/17/1923

POINT OF DIVERSION:

T22N R21E S1 NENESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/15	0.190 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S06 Lot 4 NENW	6.10	T22N R22E S06	SENW	3.60
--------------------------	------	---------------	------	------

9.7 ACRES TOTAL

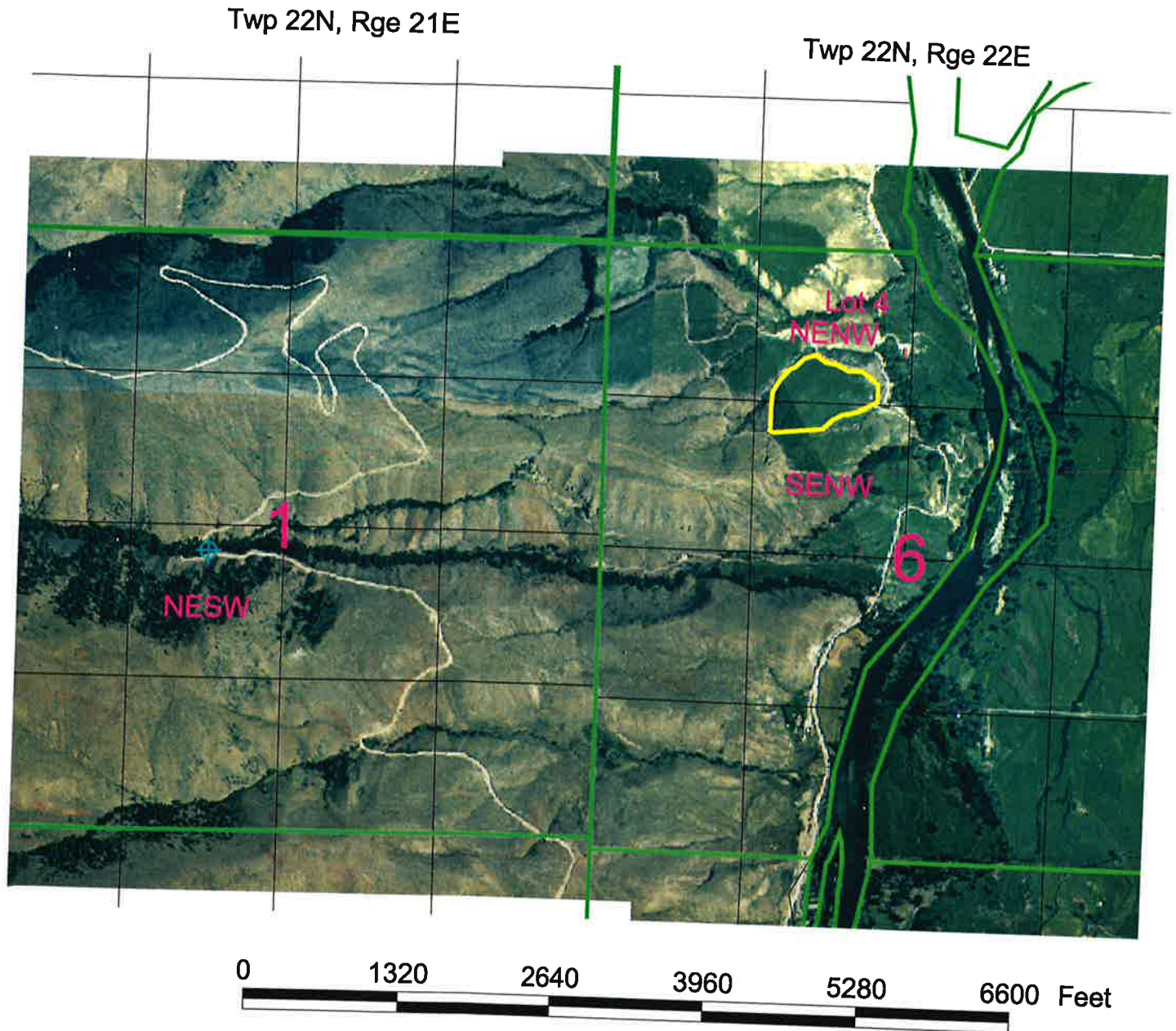
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Beneficial Use

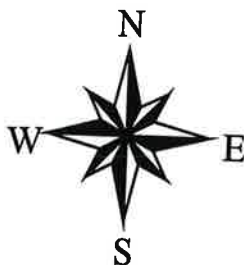
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-4385A.

Claim No.: 75-14092



Irrigated Acres = 9.7

- Place of use.shp
- Diversion.shp
- Sections
- QQ



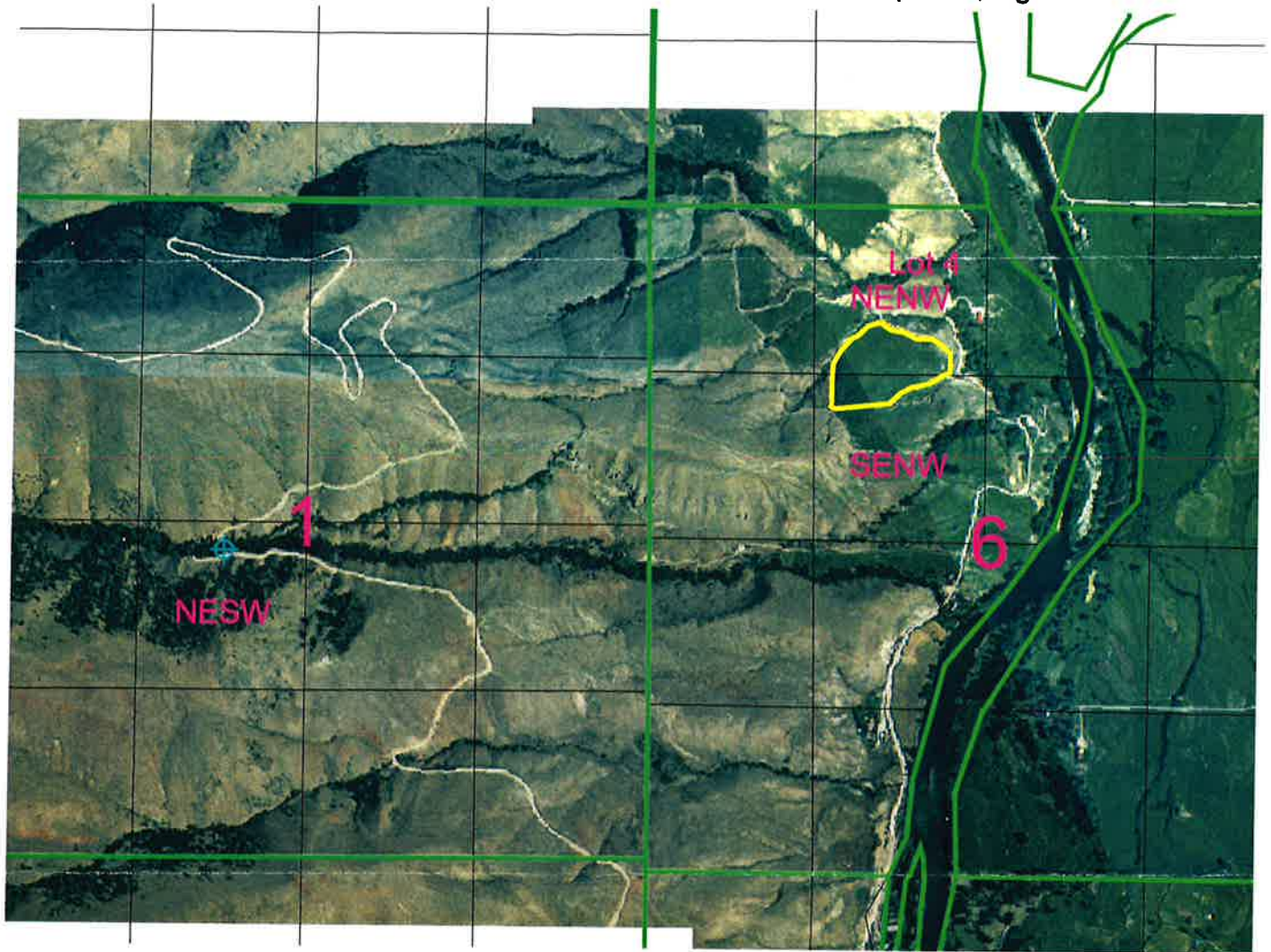
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: February 2003

JAN 2003

Claim No.: 75-14092

Twp 22N, Rge 21E

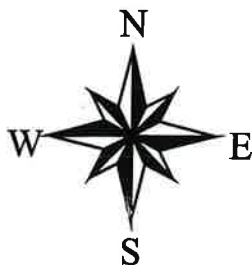
Twp 22N, Rge 22E



0 1320 2640 3960 5280 6600 Feet

Irrigated Acres = 9.7

- Place of use.shp
- Diversion.shp
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: February 2003

JAN 1 2001



Idaho Department of Water Resources

SRBA Recommendation:

75-14092

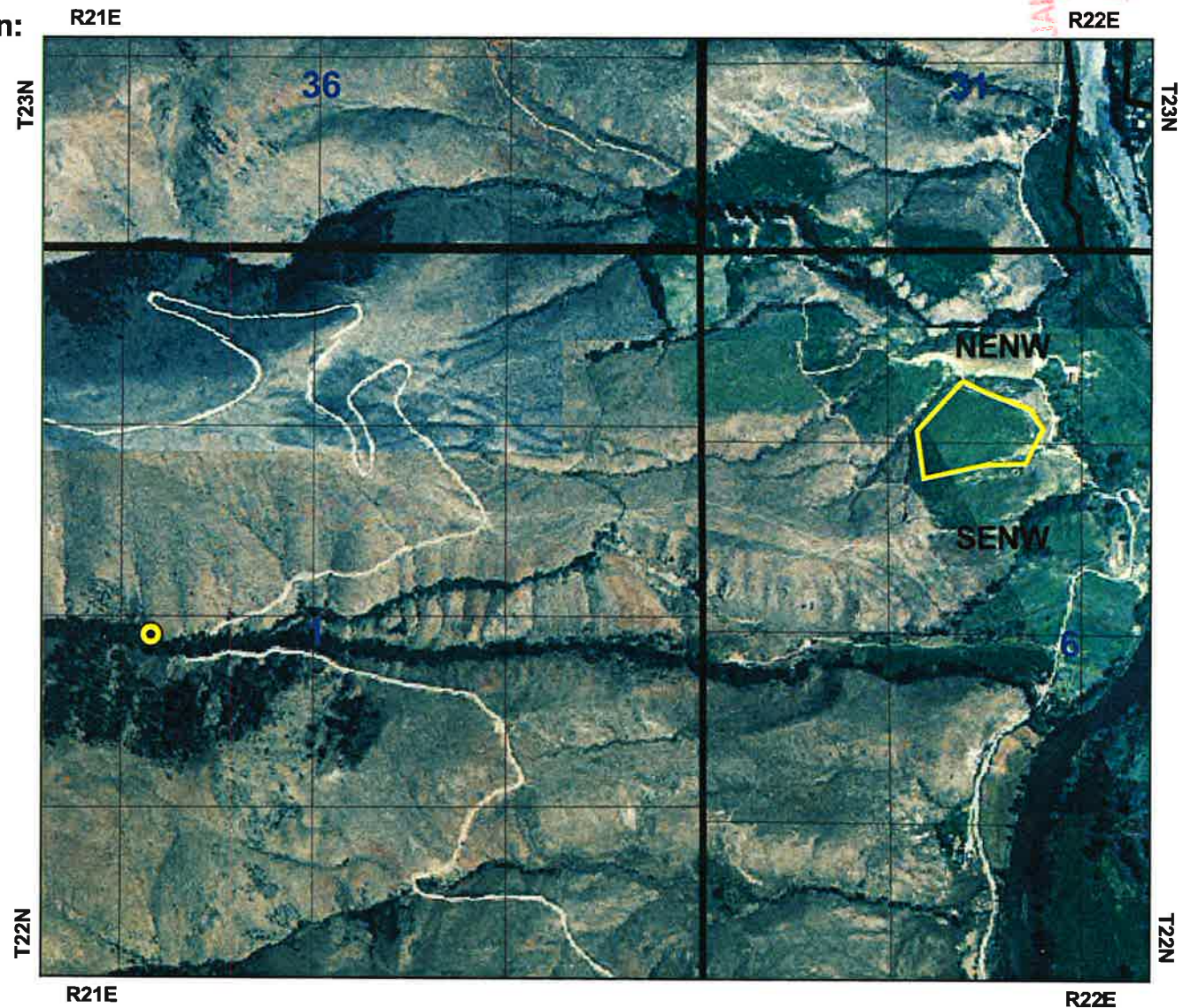
0002 6 2 NW
JAN 2 2007
DENIED

Legend

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



Lemhi County
IDWR Basin 75



0 0.5 1 Miles

Prepared by Kenneth Knoblock
On Wednesday, March 27, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

SRBA Recommendation:

75-14092

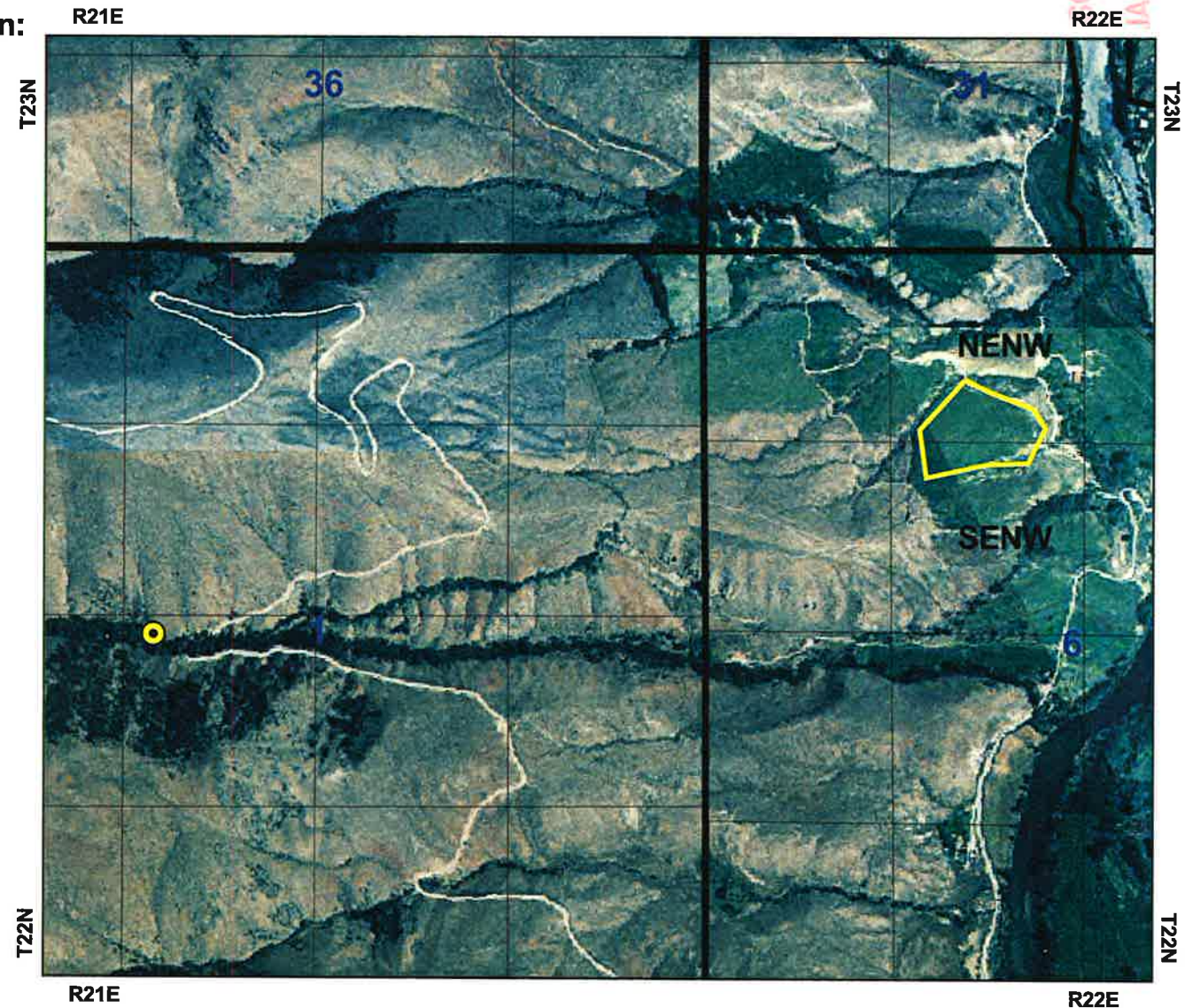
SCANNED
JAN 2 2003

Legend

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



Lemhi County
IDWR Basin 75



0 0.5 1 Miles

Prepared by Kenneth Knoblock
On Wednesday, March 27, 2006
1987/88 Aerial Photography

RECEIVED

SEP 12 2007

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 SRBA

Case No. 39576

A. Subcase 75-14092

(Insert water right number
From the Objection Form)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Dale Gooby
Address: 18 Savage Ranch Rd
Salmon, Id 83467
Daytime Phone: (208) 756-3211 ext 107

Name & Address of Attorney, if any:

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING

Name: Kent Foster
Address: P.O. Box 50130
Id. Falls, Id 83405

75-14092

Objection from Farley: WR should not exist. "Water under this right was not used historically on this land prior to 1987 or for many years thereafter." (objection from Waite identical)

Response to objection from Gooby w/ correspondence & aerial photos; nothing substantive

Claim

Gooby

4/17/1923

Wallace Cr. trib. to Salmon R.

split of 75-4385A

0.19 cfs

POD: 22N 21E 1 NENESW

POU: 22N 22E 6 NENW 6.1
SENW 3.6
9.7 } within stat. claim POU

Rec

Gooby

4/17/1923

Wallace Cr. trib. to Salmon R.

0.19 cfs

POD: 22N 21E Sec 1 NENESW

POU: 22N 22E 6 NENW 6.1
SENW 3.9
9.7

Thoughts

POU removes house constructed post-1992

ground looks irrigated

Bob Foster FE found irrigation

-system capacity 0.22 cfs

do not see evidence for forfeiture/lack of b-use

1968 aerial photo in eop clearly shows irrigation

P.D. review

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☐ Place of Use

11. Recommendation

- ☒ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (Must be Completed)

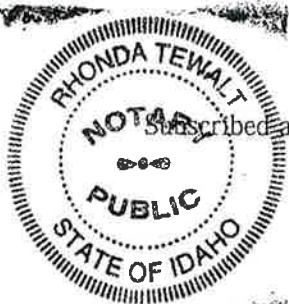
State of Idaho)
)ss.
County of Lemhi)

Dale Geoby, duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]
(Signature of person filing response)

(Attorney signing in representative capacity)



Subscribed and sworn to before me on: 9-7-07

Rhonda Tewalt
Notary Public for State of Idaho Lemhi County
Residing at: Salmon, Idaho
My Commission Expires: 8-25-08

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

F. CERTIFICATE OF MAILING

I certify that on 7th of Sept., ~~199~~²⁰⁰⁷, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Dale Gooby
Address: 18 Savage Ranch Rd Salmon, Id 83467

3. One copy to the party who filed the objection at the following address:

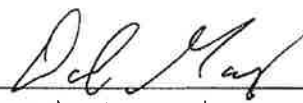
Name: Kent Foster
Address: P.O. Box 50130, Id Falls, Id 83405

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

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


Your signature or signature of attorney
mailing on your behalf

To: 5th District Court
253 Third Ave. North
Twin Falls, Idaho 83303

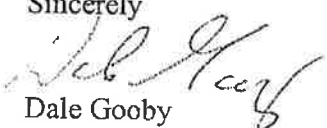
This is in response to the objection of water rights (subcase 75-14092). It appears that I am obligated to respond to this objection filed by Kent Foster on the 30th of January 2007. I have contacted this court to obtain the evidence which supports this objection but found that there was none filed with the court. I contacted Kent Foster's (attorney) office several times to receive disclosure of the evidence to support this objection. Mr. Foster refused to discuss the matter with me but was willing to discuss the matter with my legal council. The problem is that I don't have legal counsel nor will I waste my money obtaining it since I can't even identify what I need to defend myself from. I can only speculate on the motivation for this objection. Since there is no evidence to support this claim I can only assume that this is retribution from Mr. Foster stemming from a failed attempt to extort money from me on behalf of one of his clients several years ago. Much like this situation Mr. Foster had no evidence to support that claim but was more than willing to negotiate a settlement. Since I did not agree to a settlement the case was subsequently dropped. I feel that it is important to point out part F. (Verification) as described in the Instructions for Filing Objections to Water Rights in the Snake River Basin Adjudication:

"Verification. You must sign the Response form in front of a notary. By filing this Response form, you are certifying that the response is well grounded in fact; that it is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation."

Since this objection was filed with no supporting evidence, and since Mr. Foster is only willing to discuss it if I retain the services of legal counsel, it becomes quite obvious that this objection was filed to harass and to needlessly increase the cost of litigation to myself. I would hope the court would do what ever is necessary to encourage Mr. Foster to abide by their rules. I will be contacting the Idaho State Bar to determine if Mr. Foster's behavior in this case is considered to be ethical by their standards.

As I said before, I have not received an argument from Mr. Foster to refute so I am not sure which pile of overwhelming evidence to attach in support of the validity of my water right recommendations. I don't want to leave the court with empty hands as Mr. Foster has done so I am attaching copies from aerial photos of several years showing that the ground in question has been irrigated with the water right that has been recommended.

Sincerely


Dale Gooby

SCANNED
JAN 29 2008



SCANNED

JAN 29 2009

2
RECEIVED
JAN 22 2007
CLERK OF
COURT

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

A. Subcase 75-14092

Case No. 35976

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Jeffrey V. Waite

Address: c/o Holden, Kidwell, Hahn & Crapo, PLLC

PO Box 50130, Idaho Falls, ID 83405-1030

Daytime Phone: 208-523-0620

Name & Address of Attorney, if any:

Kent W. Foster

Holden, Kidwell, Hahn & Crapo, PLLC

PO Box 50130, Idaho Falls, ID 83405

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Dale F. Gooby

Address: 18 Savage Ranch Rd.

Salmon, ID 83467

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Points of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

10. **I object because:**

- ☒ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** Water under this right was not used historically on this land prior to 1987 or for many years thereafter.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Bonneville)

Kent W. Foster, duly sworn, upon oath, deposes and says:

That I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



Kent W. Foster, Attorney

Subscribed and sworn to before me on this 30th day of January, 2007.





Notary Public for Idaho
Residing at: Idaho Falls, ID
My Commission Expires: July 7, 2009

G.

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of January, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

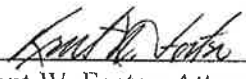
Dale F. Gooby
18 Savage Ranch Rd.
Salmon, ID 83467

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Kent W. Foster, Attorney

G:\WPDATA\KWF\10939 WAJTE, JEFF\Objection, 75-14092.wpd

RECEIVED

FEB 12 2007

DEPARTMENT OF
WATER RESOURCES

COPY

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

A. Subcase 75-14092

Case No. 35976

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Dan Farley
Address: c/o Holden, Kidwell, Hahn & Crapo, PLLC
PO Box 50130, Idaho Falls, ID 83405-0130
Daytime Phone: 208-523-0620

Name & Address of Attorney, if any:

Kent W. Foster
Holden, Kidwell, Hahn & Crapo, PLLC
PO Box 50130, Idaho Falls, ID 83405

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Dale F. Gooby
Address: 18 Savage Ranch Rd.
Salmon, ID 83467

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Points of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

10. **I object because:**

- ☒ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** Water under this right was not used historically on this land prior to 1987 or for many years thereafter.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Bonneville)

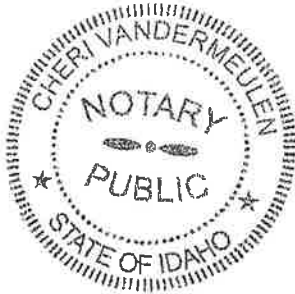
Kent W. Foster, duly sworn, upon oath, deposes and says:

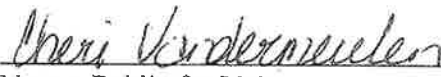
That I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



Kent W. Foster, Attorney

Subscribed and sworn to before me on this 8th day of February, 2007.





Notary Public for Idaho
Residing at: Idaho Falls, ID
My Commission Expires: July 7, 2009

G.

CERTIFICATE OF MAILING

I hereby certify that on the 8th day of February, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Dale F. Gooby
18 Savage Ranch Rd.
Salmon, ID 83467

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Kent W. Foster, Attorney

G:\WPDATA\KWF\12036 Farley, Dan\Objection, 75-14092 wpd

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

CLAIM NO(s). 75-14092

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____

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.: A0015060 FL * W62405 POD1

Township _____	Range _____	Section _____	1/4 _____	1/4 _____	1/4 _____
Township _____	Range _____	Section _____	1/4 _____	1/4 _____	1/4 _____

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

headgate in creek ditch to pipeline gravity sprinkler
system

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

System will run 17 6gpm sprinkler heads = 102gpm = .22cfs

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 6-28-05

FIELD EXAMINER: _____

Bob Foster
Print Name

Bob Foster
Signature

Pedigree Search (History of Water Right Number splits)

Adjudication Pedigree for 75-4385

-- Water Right Number / Status /Reason for split

--75-4385 /See Remarks /Ownership Change 1.88 90

--75-4385A /Parent /Ownership Change .32 70

--75-14090 /Active /Ownership Change .042 SNEED

--75-14091 /Active /Ownership Change DISALLOW MARCUS, SIMS ETC

--75-14092 /Active /Ownership Change .19 9.7 GOODY

--75-14093 /Active /Ownership Change .16 9 YANOFF

--75-4385B /Parent /Ownership Change .78

--75-4385C /Parent /Ownership Change

--75-14302 /Active /Ownership Change .147 BOURDON 18 .36

--75-14303 /Active /Ownership Change .15 GEIDEL

--75-4385D /Active /Ownership Change OLSEN .124 9 .18

51.7 1.03

Water Right Pedigree for 75-4385

SCANNED

JAN 29 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 11, 2002

DALE GOOBY
18 SAVAGE RANCH RD
SALMON ID 83467

RE: STATUS OF OWNERSHIP CHANGE ON WATER RIGHT 75-4385

Dear Mr. Gooby:

On August 21, 2001, our office received your request to change the ownership of water right 75-4385 from William Blankenship to Dale Gooby. The property claimed under this right includes 90 acres in Lemhi County, part of which is Lot 13 of the Diamond Creek Subdivision. Processing of your request has been delayed in order for our office to contact the original owners to determine the exact location and amount of irrigation under this right.

We will process your ownership change request as soon as we receive this information. Our preliminary research indicates some portion of this right is appurtenant to your property in the Diamond Creek Subdivision. I do not anticipate any problems with your request.

Sincerely,

Jennifer Crabtree
Technical Records Specialist

Enclosure

SCANNED
JAN 29 2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

AUG 23 2001

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	A75-04385				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) William & Lisa Blankenship
139 Horizon Land Cinebar, WA 98533
4. New Owner/Claimant(s) Dale F. Gooby
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 18 Savage Ranch Rd.
 City, State and ZIP Code Salmon, ID 83467
 New Telephone Number 208 756-2397
5. Date you acquired the property 7-17-1998

SCANNED

JAN 29 2002

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>A75-04385</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>.24 cfs</u>	<u>12 acres</u>
Stock	<u>3</u>	<u>horses</u>
Domestic		
Other		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s) *Rob Green*
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by AJ Date _____ WR _____ Date _____

SCAN
JAN 2 2003

DELOG JH-12-15-98
DELOG DC
12-23-98

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

DEC 07 1998

Department of Water Resources
Eastern Region

1. Water Right Number(s) _____
Adjudication Claim Number(s) A75-04385
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) William + Lisa Blankenship
139 Horizon Land Clinebar, Wa 98533
4. New Owner/Claimant(s) Dale F. Gooby
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 900 Fairgrounds Rd.
City, State and ZIP Code Salmon, Id 83467
New Telephone Number (208) 756 - 2397
5. Date you acquired the property 7-17-98
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated 12.0 Number and type of stock 3 HORSES
Diversion rate in CFS .24 cfs Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Dale Gooby Date 8-28-98

Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

SCANNED

JAN 29 1999

Warranty Deed

For Value Received

WILLIAM R. BLANKENSHIP AND LISA BLANKENSHIP, HUSBAND AND WIFE

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

DALE GOOBY, A SINGLE PERSON

whose current address is

SALMON, ID 83467

the grantee, the following described premises, in LEMHI

County Idaho, to wit:

LOT 13 OF THE DIAMOND CREEK SUBDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF FILED FOR RECORD IN BOOK 5 OF PLATS AT PAGE NO. 45, RECORDS OF LEMHI COUNTY, IDAHO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor S do hereby covenant to and with the said Grantee, that they're the owner 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: July 14, 1998

William R. Blankenship
WILLIAM R. BLANKENSHIP

Lisa Blankenship
LISA BLANKENSHIP

STATE OF ^{Washington} IDAHO, COUNTY OF ^{Idaho} *Idaho*
On this *14* day of *July*, 1998
before me, a notary public in and for said State, personally appeared

William R. Blankenship &
Lisa Blankenship

known to me to be the person whose name is

subscribed to the within instrument, and acknowledged to me that

executed the same

Residing at
Comm. Expires

Merton, Washington
8-9-99

Notary Public
Idaho

State of Idaho
County of Lemhi

SS No.

This instrument was filed for record at the request of *Alliance Title*

at *1:31* o'clock *P*m *7-17* 19 *98*

and duly filed and indexed in the records of Lemhi

County

Alberte Wiederrick
Ex-Officio Recorder

By *Jana Smith* Deputy

Fees *3.00*

Return to *Alliance*

237329

Warranty Deed

For Value Received
TWO DOGS PARTNERSHIP

the grantorS, do hereby grant, bargain, sell and convey unto
WILLIAM R. BLANKENSHIP and LISA M. ROLFE, both as single persons
whose current address is
140 Gore Rd., Onalaska, WA 98570

the granteeS, the following described premises, in Lemhi

County Idaho, to wit:

Lot 13 of the Diamond Creek Subdivision according to the Official Plat thereof filed for record in Book 5 of Plats at Page No. 45, Records of Lemhi County, Idaho...

Together with 8/88ths of the water right, if any, acquired by Seller by reason of filing of claim to a water right with Department of Water Resources, State of Idaho, having priority date of April 17, 1923 for 1.3 cfs for irrigation use from April 1 to October 15 from Wallace Creek and any such water right acquired by reason of such filing being subject to all other claims to water from said creek having a prior priority date.

Subject to easement for existing pipeline through which water flows across said property to Lots 14 & 15, in said subdivision and subject to easement for existing pipeline through which water flows across said property to other lots downhill from said property in said subdivision said easements being reserved to Seller for said pipelines and for maintenance thereof for flow of water through same said Lot 13 being burdened with the obligation by grantees to pay 1/88ths of the expense of maintaining the ditches and pipelines through which water from Wallace Creek flows to Lots 13 through 21 inclusive, in said subdivision.

Subject to applicable government regulations and restrictions, easements and rights of way of record or apparent upon visual examination of the property, reservations contained the United States patent or other original conveyance from the United States and restrictive covenants.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S, and 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: November 8, 1993

TWO DOGS PARTNERSHIP

BY: Sandy H. Sims
Sandy H. Sims

BY: Derrold Slavin
Derrold Slavin

STATE OF IDAHO, COUNTY OF Lemhi
On this 8th day of Nov., 1993
before me, a notary public, in and for said State, personally appeared
Sandy H. Sims & Derrold Slavin
known to me to be the personS whose name S are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Laurie M. Santee
Residing at Salmon
Comm. Expires 6/19/1995

Notary Public
Idaho

State of Idaho)
County of Lemhi) ss. No. 220593

This instrument was filed for record at
the request of William R. Blankenship & Lisa M. Rolfe
at 2:16 o'clock p.m. Nov. 8, 1993
and duly filed and indexed in the
records of Lemhi County

Alberta Wiederrick

Official Recorder

By: Debra Jackson Deputy
Fees: 3.00

SCANNED

JAN 9 2008

Warranty Deed

For Value Received

WILLIAM MAXWELL AND GERTRUDE MAXWELL, husband and wife

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

TWO DOGS PARTNERSHIP

whose current address is

PO BOX 686
SALMON, ID 83467

the grantees, the following described premises, in

LEMHI

County Idaho, to wit:

LOT 13 OF THE DIAMOND CREEK SUBDIVISION ACCORDING
TO THE OFFICIAL PLAT THEREOF FILED FOR RECORD IN
BOOK 5 OF PLATS AT PAGE NO. 45, RECORDS OF LEMHI
COUNTY, IDAHO. . .

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S,
their heirs and assigns forever. And the said Grantor S do hereby covenant to and with the said
Grantee S, that they're the owner 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: OCTOBER 8, 1993

William Maxwell
WILLIAM MAXWELL

Gertrude Maxwell
GERTRUDE MAXWELL

STATE OF IDAHO, COUNTY OF LEMHI
On this 8th day of OCT. 1993
before me, Notary Public in and for said State, personally appeared

WILLIAM MAXWELL AND
GERTRUDE MAXWELL

known to me to be the person whose names are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Janice M. Santee
Notary Public

Residing at: Salmon, Id
Comm Expires: 6-19-1995

State of Idaho)
County of Lemhi) ss. No. 220592

This instrument was filed for record at
the request of *American Hand Lillo*
at 2:15 o'clock *P* m Nov. 22 1993
and duly filmed and indexed in the
records of Lemhi County

Alberta Wiederick
Ex-Officio Recorder
By *Debra Valboe* Deputy

Fees: 3.00

State of Idaho
Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098
Roxanne Brown
SR. Water Resource Agent
Adjudication Bureau

RECEIVED
JUL 28 2005
DEPARTMENT OF
WATER RESOURCES

Re: Evidence of Priority Date #75-14092

Dear Ms. Brown:

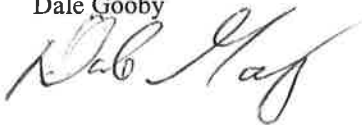
In support of my Statutory Claim #75-14092, April 17th, 1923 priority date, I am providing the following documents:

1. Ariel photo from 1968 showing ground to be irrigated by a well established ditch. (please review annotations on photo).
2. Affidavit from Robert C. Anders stating that his grandfather acquired the property serviced by the ditch in 1929 and performed maintenance on the ditch at that time.

This evidence suggest that the claimed priority date of April 17th, 1923 is reasonably accurate. Today there is still remaining portions of old ditches that were used to flood irrigate the property. The property has been under gravity sprinklers since the mid 1950's.

Sincerely

Dale Gooby



SCANNED

JUL 28 2005

ICFL 210.35

7-25-68

EGK-8JJ-9

Wellhead CK.
Ditch

1. Photo taken 7-25-68
2. Note Mature Vegetation on ditch
3. This supports SA 19235 Priority date
4. Original photo available for closer inspection

Isolated Areas

SCANNED
JUL 28 1968

Ditch, Blown out
Given 1930
Woody Vegetation
Reestablished



July 10, 2005

Re: Wallace Creek Ditch

To Whom It May Concern:

My grandfather, William Henry Anders, either built or rebuilt the Wallace Creek Ditch.

According to my father, Esmond W. Anders, they acquired the property in 1929 and worked on the ditch while they owned the property. At that time, there were no trees along the ditch bank, contrary to the present, where the trees are almost solid along the ditch bank.

Sincerely,

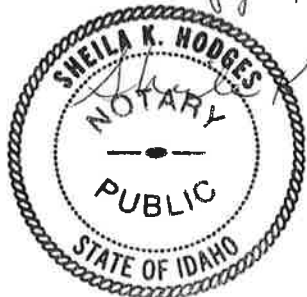


Robert C. Anders
306 S. Terrace St.
Salmon, Idaho 83467-4141
208-756-4373



2-19-08

I verify these are true copies of the original.



7.12.05

SCANNED

JUL 28 2005

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 75-14092
Date Received: 2/23/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

Dale F Gooby Phone: (208) 756-2397

18 Savage Ranch Rd
Salmon ID USA 83467

2. Date of Priority: 04/17/1923

3. Source: WALLACE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
22N	21E	1	NE NE SW	LEMHI	

5. Description of diverting works:

ROCK DIV. DAM WITH GRAVITY FEED PIPE AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/15	0.19	

7. Total Quantity Appropriated is:
0.19 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
22N	22E	6	NE NW	IRRIGATION	6.1
			SE NW	IRRIGATION	3.6

Section Acres 9.7

Total Acres 9.7

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:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-4385A.

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:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

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 75-14092
Date Received: 2/23/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

Dale F Gooby Phone: (208) 756-2397

18 Savage Ranch Rd
Salmon ID USA 83467

2. Date of Priority: 04/17/1923

3. Source: WALLACE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
22N	21E	1	NE NE SW	LEMHI	

5. Description of diverting works:

ROCK DIV. DAM WITH GRAVITY FEED PIPE AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/15	0.19	

7. Total Quantity Appropriated is:
0.19 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
22N	22E	6	NE NW	IRRIGATION	6.1
			SE NW	IRRIGATION	3.6

Section Acres 9.7

Total Acres 9.7

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:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-4385A.

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): Doug May Date: 2-25-03

Date:

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this

of 2-25 2003

Natalie Banta

Notary Public

Residing at _____

My commission Expires 5-18-2004



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-14092

WATER RIGHT NUMBER: 75-14092

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DALE F GOOBY 18 SAVAGE RANCH RD SALMON, ID 83467 (208) 756-2397

Priority Date: 04/17/1923
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
WALLACE CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/15	0.190 CFS	
	<u>Total Diversion:</u>	0.190 CFS	

<u>Location of Point(s) of Diversion</u>		
WALLACE CREEK	NE1/4NE1/4SW1/4	Sec. 1, Twp 22N, Rge 21E, 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	
22N	22E	6					6.1		3.6										9.7
							L 4												

Total Acres: 9.7

Conditions of Approval:Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 9.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 75-14092, 75-14096 AND 75-14098
2. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-4385A.

Comments:Dates and Other Information: