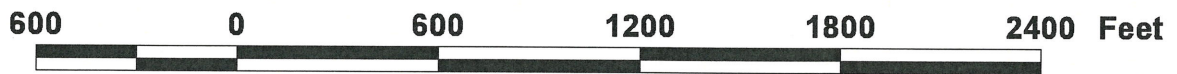
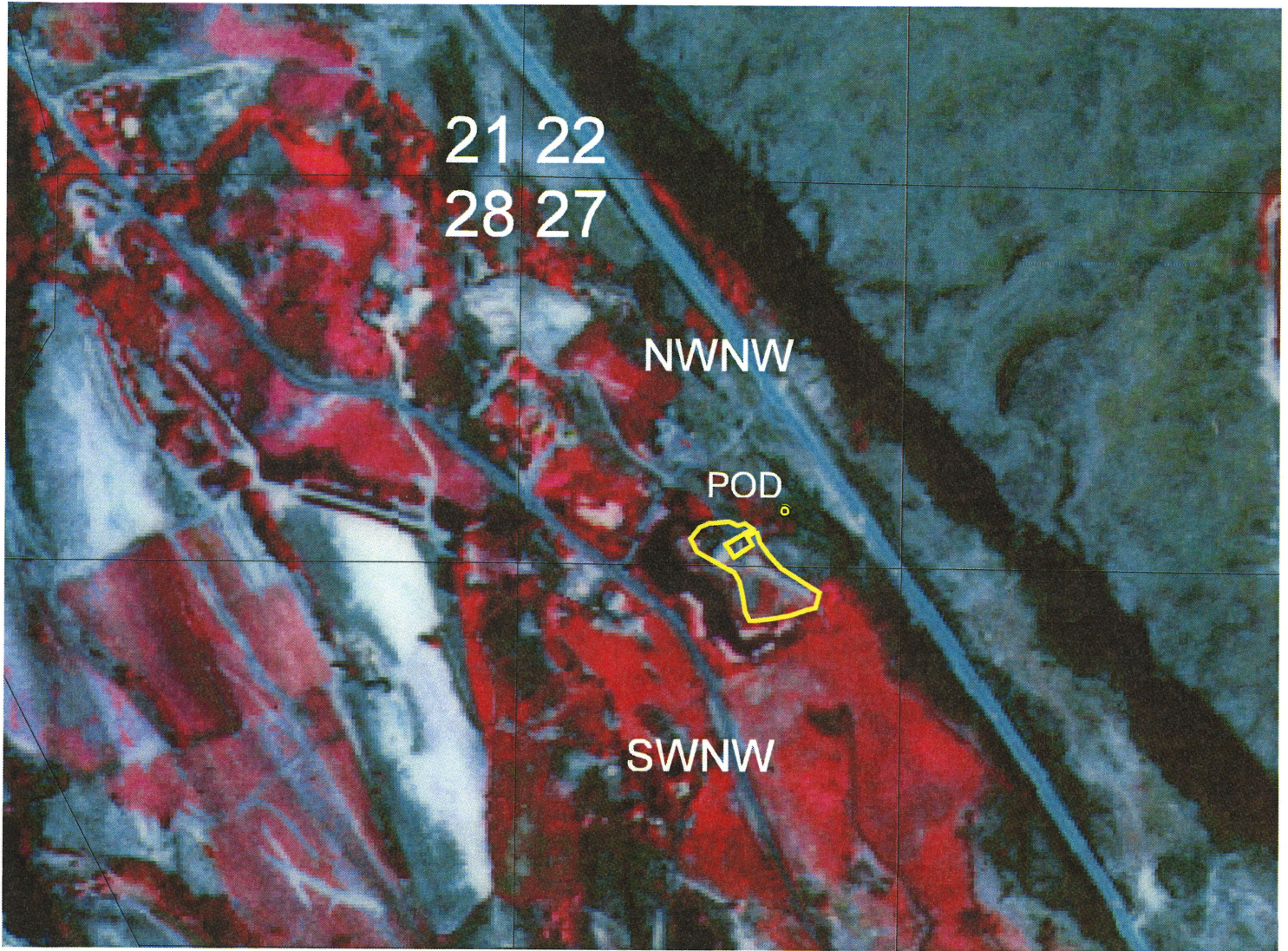
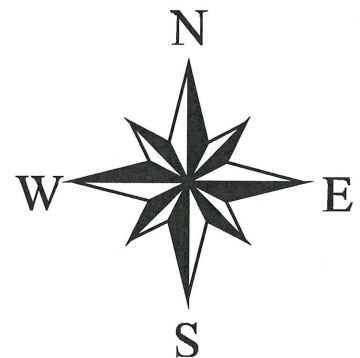


37-7479



T06S R13E S27

Map prepared by: Carter Fritschle
Date prepared: 02/05/03
1987-1988 NAPP photography
Idaho Department of Water Resources



03/17/2005

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

RIGHT NUMBER: 37-7479
NAME AND ADDRESS: SHERYL HARMER
PO BOX 120
HAGERMAN ID 83332

NORMAN POTHIER
PO BOX 120
HAGERMAN ID 83332

SOURCE: UPPER WADDINGTON SPRING TRIBUTARY: STODDARD CREEK
QUANTITY: 0.080 CFS
8.700 AFY
PRIORITY DATE: 03/08/1976
POINT OF DIVERSION:
T06S R13E S27 SENWNW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
IRRIGATION	04/01 11/01	0.040 CFS 7.50 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: DOMESTIC Within GOODING County

T06S R13E S27 NWNW

IRRIGATION Within GOODING County

T06S R13E S27 NWNW 0.6 T06S R13E S27 SWNW 0.9

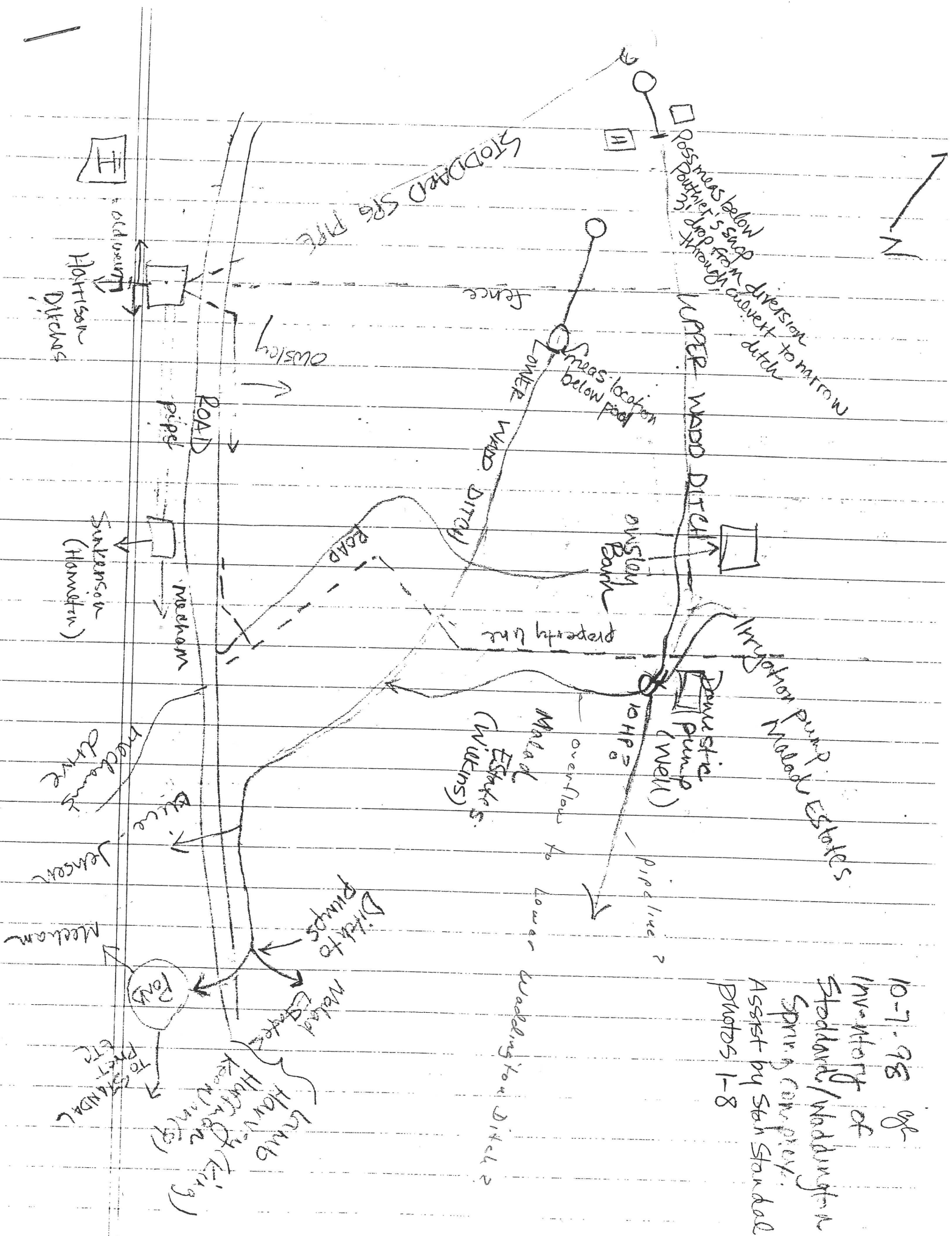
1.5 ACRES TOTAL

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: License

10-7-98 of
Inventory of
Stoddard/Waddington
Spring Campfire.
Assist by Stan Stoddard
Photos 1-8



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7479 Priority March 8, 1976 Amount 0.08 cfs

THIS IS TO CERTIFY, that Fern Pothier
of Hagerman, Idaho, has complied with the terms and conditions of Permit
No. 37-7479 issued pursuant to Application for Permit dated March 8, 1976,
and has submitted proof to the Department of Water Resources on March 11, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.08 cfs of water from a spring,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>0.04</u> cfs and	<u>7.5</u> acre feet
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.08 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
8.7 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, Twp. 6S,
Rge. 13E, B. M. in the County of Gooding

Description and location of place of use:

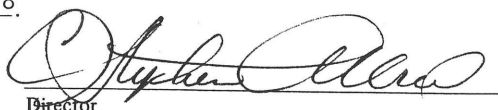
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6S	13E	27						X	(Domestic)										1.5

Total number of acres irrigated 1.5

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of
February, 19 78.


Director

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: A37-07479
Date Received: 7/11/1988
Receipt No: S000857
Received By: P.V. SK

Change of Owner

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NORMAN POTHIER 208-837-6613
Address: P O BOX 120
HAGERMAN ID 83332

Name: SHERYL HARMER 208-837-6613
Address: P O BOX 120
HAGERMAN ID 83332

2. Date of Priority: MAR 8, 1976

3. Source: SPRING Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	13E	27	SW	NW	NW		GOODING

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		7.50
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 8.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

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FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	13E	27	NW NW		IRR	2.0
Section Acres						2.0
Total Acres						2.0

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:

AC. IRR. = 1.5.

THIS PROPERTY WAS INHERITED BY THE CLAIMANTS ON 3/31/90. RVW.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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FEB 24 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 065 Range 13E
Section 27, NW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A37-07479
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): 1-ERN FOTHIER
P.O. Box 56
HAGERMAN ID. 83332
- ☐ New Owner/Claimant (Purchaser): NORMAN FOTHIER, SHERYL HARMER
- ☐ New Mailing Address: P.O. Box 120
HAGERMAN, ID. 83332
- ☐ New Telephone Number: (208) 837-6613
- ☐ 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: _____
(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) Norman Fothier, Sherly Harmar Date 1-22-92
- ☐ Signature of Former Owner/Claimant(s): _____ 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: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

MICROFILMED
FEB 24 1993

11:54

0551

CITY OF GOODING

West of Credit River of TF

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20

ERS, Recorder

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Twin Falls, Idaho

Idaho, this 17

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Cecil D. Hobdey
HOBDEY & HOBDEY
Attorneys at Law
P.O. Box 176
Gooding, Idaho 83330
934-4429

140552

STATE OF IDAHO, COUNTY OF GOODING

Filed for record at the request of Hobdey & Hobdey

30 min. past 2 o'clock P. M. this 18
of April 1990 See #62

JOHN A. MYERS, Recorder

By William K. Piatt Deputy

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

IN THE MATTER OF THE ESTATE OF:

CASE NO. 21120

FERN POTHIER,

DEED OF DISTRIBUTION

Deceased.

THIS INDENTURE Made this 21st day of March, 1990, by Sheryl Harmer and Norman Pothier, Personal Representatives of the Estate of Fern Pothier, deceased, hereinafter referred to as Grantors and Sheryl Harmer and Norman Pothier, share and share alike, hereinafter referred to as Grantees:

WITNESSETH:

NOW, THEREFORE, pursuant to the law in such cases made and provided, and particularly pursuant to the provisions of Section 15-3-907, Idaho Code, Grantors do hereby convey, transfer, distribute and set-over unto Grantees and to their successors in interest, heirs and assigns, the following described property:

Lots 11, 12, 14, 15 and 16, Spring Acres Subdivision according to the Plat thereof located in Section 27, Township 6 South, Range 13 E.B.M., Gooding County, Idaho.

Sheryl Harmer
Sheryl Harmer

Norman Pothier
Norman Pothier

PERSONAL REPRESENTATIVES

MICROFILMED

FEB 24 1993

ODING
Sheryl Harmer
M. this 18
1990
order
_____ Deputy

OF THE

Sheryl
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hereinafter

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3-907, Idaho
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e 13 E.B.M.,

12

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ACKNOWLEDGMENT

STATE OF WASHINGTON)
County of Pierce) ss.

On this 2nd day of April, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared SHERYL HARMER, Personal Representative of the Estate of Fern Pothier, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that she executed the same as said Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year in this instrument first above written.

Walter P. Bond
NOTARY PUBLIC FOR WASHINGTON
Residing at : Spokane, WA
Commission Expires: 6-15-91

ACKNOWLEDGMENT

STATE OF IDAHO)
County of Kitsap) ss.

On this 16th day of April, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared NORMAN POTHIER, Personal Representative of the Estate of Fern Pothier, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year in this instrument first above written.

Gen M. Lindsted
NOTARY PUBLIC FOR WASHINGTON
Residing at : Spokane
Commission Expires: 2-1-92

TAX NOTICES:

Sheryl Harmer
2102 36th Place S.E.
Puyallup, WA 98374

DEED OF DISTRIBUTION P. 2

MICROFILMED
FEB 24 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: A37-07479
Date Received: 7/11/1988
Receipt No: S000857
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FERN POTHIER
Address: BOX 56
HAGERMAN, ID 83332 208-837-6613

2. Date of Priority: MAR 08, 1976

3. Source: SPRING Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	13E	27	NW	NW			GOODING

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		7.50
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 8.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	27	NW	NW		IRR	2.0
Section Acres							2.0

A37-07479

Page 1

Date: 07/11/88

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FEB 23 1993

Total Acres 2.0

12. Do you own the property listed above as place of use? YES

14. Remarks:
AC. IRR. = 1.5.

16. Signature(s)

Number of attachments:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *John Galtner* Date: 7-11-88
Date:

State of Idaho)
County of T.F.) SS.

Subscribed and sworn (or affirmed) before me this 11th day

of July 19 88

 Con White
 Notary Public

Residing at T.F.

My Commission Expires 5/95

MICROFILMED
FEB 23 1993