

05/29/2002

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

RIGHT NUMBER: 37-10223  
NAME AND ADDRESS: ELLIS GOOCH  
670 N 650 W  
SHOSHONE ID 83352  
  
BEATRICE GOOCH  
670 N 650 W  
SHOSHONE ID 83352

SOURCE: GROUND WATER  
QUANTITY: 0.04 CFS  
11.9 AFY  
PRIORITY DATE: 06/15/1942  
POINT OF DIVERSION:  
T04S R16E S35 SWSNW Within LINCOLN County

TRIBUTARY:

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<br>1.20 AFY |
| COMMERCIAL            | 01/01 12/31          | 0.020 CFS<br>2.90 AFY |
| STOCKWATER            | 01/01 12/31          | 0.040 CFS<br>7.80 AFY |

COMMERCIAL USE IS AT A DAIRY.

PLACE OF USE: DOMESTIC Within LINCOLN County  
T04S R16E S35 SWNW  
COMMERCIAL Within LINCOLN County  
T04S R16E S35 SWNW  
STOCKWATER Within LINCOLN County  
T04S R16E S35 SWNW

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

37-10223

CF 5-29-02

1 HP Pump in 300 ft. well

Domestic - 1 House

Stockwater - 200 Dairy Cows

Commercial - Dairy

Domestic = 0.04 cfs & 1.2 AFA

Stockwater = 35 gpd/cow  $\times$  200 cows = 7000 gpd  
(7000 gpd  $\times$  365 days)  $\div$  325,850 gal/AF  
= 7.8 AFA

Commercial = 2.9 AFA (from dairy spreadsheet -  
based on hand washing)

$$\frac{1 \text{ HP} \times 8.8 \times .70}{\times 100 + (2.31 \times 20 \text{ psi})} = 0.04 \text{ cfs} \left( \frac{8.8}{223} = 0.04 \right)$$

\* Static level for new well drilled in 1991 is 223 ft.

Maximum theoretical diversion rate with 1 HP pump  
is 0.04 cfs. (18 gpm pump at 200 ft and minimal  
pressure)

Allow:

|            |          |         |
|------------|----------|---------|
| Domestic   | 0.04 cfs | 1.2 AFA |
| Stockwater | 0.04 cfs | 7.8 AFA |
| Commercial | 0.02 cfs | 2.9 AFA |

|       |          |          |
|-------|----------|----------|
| Total | 0.04 cfs | 11.9 AFA |
|-------|----------|----------|

37 - 10223 7-16-1992



April 8, 2002

RECEIVED  
APR 12 2002

Department of Water Resources

State of Idaho  
Department of Water Resources  
P.O. Box 83720  
Boise, Idaho 83720-0098

**Re: Name of Claimant(s): Ellis and Beatrice Gooch**  
**670 North 650 West, Shoshone, Idaho 83352**  
**I.D. Number 37-10223**  
**Notice of Claim to a Water Right**

Dear Sir/Madam:

As the eldest son of Harold T. Gooch, I was born on December 21, 1942 and lived on the above referenced property until I was approximately 19 years of age. During those years the well water was always used for livestock, dairy and domestic use.

Dated: 4-8-02

Claude T. Gooch

Claude T. Gooch

### ACKNOWLEDGMENT

State of California     )  
                                          ) ss.  
County of Monterey    )

On 4-8, 2002, before me, CATHE M. MARTORELLA a Notary Public, personally appeared CLAUDE T. GOOCH personally known to me, (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Cathe M. Martorella  
Notary Public, State of California



April 11, 2002

State of Idaho  
Department of Water Resources  
P.O. Box 83720  
Boise, ID 83720-0098

Re: Name of Claimant(s): Ellis and Beatrice Gooch  
670 North 650 West, Shoshone, Idaho 83352  
I.D. Number 37-10223  
Notice of Claim to a Water Right

Dear Sir/Madam:

As the youngest son of Harold T. Gooch, I was born on March 17, 1953. I have lived on or near the property for my entire life. I have been involved with all farming practices that have taken place since I was old enough to work. Harold and Eleanor Gooch milked cows and raised dairy heifers and beef steers until January 2, 1982 at which time I bought the property and the dairy cows & heifers. I operated the dairy until October 1992 at which time I sold the dairy cows to K & W Dairy in Jerome and started custom feeding dairy heifers for him. We still operate the heifer raising operation today and intend to do so indefinitely.

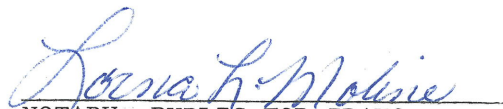
Ellis L. Gooch



STATE OF IDAHO  
COUNTY OF GOODING

On this 11th day of April 2002, before me a Notary Public in and for said State, personally appeared Ellis L. Gooch, known to be the person whose name is subscribed to the within instrument.

IN WITNESS WHERE, I have hereunto set my hand and affixed my official seal this 11th day of April, 2002.



NOTARY PUBLIC FOR IDAHO  
Residing at Gooding Idaho  
Commission Expires: 8/23/2003



## 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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

March 7, 2002

37-10223  
ELLIS GOOCH  
670 N 650 W  
SHOSHONE ID 83352

**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

37-10223  
BEATRICE GOOCH  
670 N 650 W  
SHOSHONE ID 83352

## COMMUNICATION DOCUMENTATION

Claim No. A37-10223

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent

Meel SchutteDate 11-22-94

Contact Person(s)

Ellis Gooch, claimant

Nature of Contact

Conversation with Mr. Gooch in our office concerning the above claim.

Substance of Communication

Mr. Gooch was in the office to file an application for permit and indicated he has changed the use for the above claim. He no longer has a small dairy on the site but now has a heifer operation. He filed today an application for a new right to cover a 1000 ha heifer farm.

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: A37-10223  
Date Received: 6/22/1988  
Receipt No: M000175  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: ELLIS GOOCH 208-886-7790  
Address: 670 N 650 W  
SHOSHONE, ID 83352

OR

Name: BEATRICH GOOCH 208-886-7790  
Address: 670 N 650 W  
SHOSHONE, ID 83352

2. Date of Priority: JUN 15, 1942

3. Source: WELL Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 04S      | 16E   | 35      | SW     | SW     | NW     |     | LINCOLN |

5. Description of diverting works:  
WELL, 1 HP PUMP, 1" PIPE, 300 ' DEPTH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| DOMESTIC   | 01/01 | 12/31 | 0.040 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.130 |      |        |
| COMMERCIAL | 01/01 | 12/31 | 0.020 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
ONE DOMESTIC HOUSEHOLD, DAIRY FACILITIES, 200 DAIRY COWS

A37-10223

Page 1

Date: 06/22/88

MICROFILMED  
FEB 24 1993

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 04S      | 16E   | 35      | SW     | NW  |     | DOMEST |       |
|          |       |         | SW     | NW  |     | STOCK  |       |
|          |       |         | SW     | NW  |     | COMMER |       |

11. Place of use in counties: LINCOLN

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: BENEFICIAL USE  
Water Right Number:

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 X 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): Ellis Dock Date: 6-22-88  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Lincoln ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day

of June 19 88

John Doe  
Notary Public

Seal

Residing at Bow Id

My Commission Expires 6/3/94



ELLIS GOOCH

T04S R16E

WELL #1

35

34

33

POD  
POU

Reservoir

MICROFILMED  
FEB 24 1993

47 6401

43 00

# Well Proof Report

Permit No. 714903  
Metal Tag No.  
Well ID # 314631  
Water Right No. 37-8839

Relationship: Owner/Operator  
Name: ELLIS GOOCH Phone:(208)886-7790  
Address: 670 N 650 W  
SHOSHONE ID 83352

Well Location: Township 04S, Range 16E, Section 35, SW, NW  
COUNTY LINCOLN

Address of Well Site:  
ID

Use of Well: Domestic-Single Residence

Activity: New Well

Region: Southern

Construction Method:

Const Start Date: Feb 22 1991 Const End Date: Feb 27 1991

Well Drilling Company: EATON DRILLING & PUMP SERVICE INC (No. 26)

Card Hold Name:

Certifying Official:

Date Received: Mar 06 1991

Date Approved: Feb 07 1991

Date Inspected:

Completed Depth: 278 FT Drilled Depth: Surface Diameter: 6 inches

Primary Flow Depth: Overall Temp: Static Water Level: 223

Head Pipe Length: Tail Pipe Length Production Rate: 0 GPM

Closed in Pressure: 0 Psi Bottom Hole Temp: 85 F. Low Temp Geothermal: NO

Control Device Desc:

Access Port Desc:

## Casing

| From | To  | Diam | Type | Gauge | Join Type | Material |
|------|-----|------|------|-------|-----------|----------|
|      | 224 |      |      |       |           |          |

## Seal

| From | To | Material | Amount | Method |
|------|----|----------|--------|--------|
|------|----|----------|--------|--------|

**Screen**

| From | To | Dia | Type | Slot<br>Size | # of<br>Slots | Material | Perforation<br>Meth | Screen Type |
|------|----|-----|------|--------------|---------------|----------|---------------------|-------------|
|------|----|-----|------|--------------|---------------|----------|---------------------|-------------|

**Lithologic Layer**

| From | To | Diam | Water | Color | Material | Texture |
|------|----|------|-------|-------|----------|---------|
|------|----|------|-------|-------|----------|---------|

**Drive Shoe**

| Depth | Test Description |
|-------|------------------|
|-------|------------------|

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 37-8839

WATER RIGHT NUMBER: 37-8839

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | ELLIS GOOCH<br>670 N 650 W<br>SHOSHONE, ID 83352<br>(208)886-7790    |
| Current Owner     | BEATRICE GOOCH<br>670 N 650 W<br>SHOSHONE, ID 83352<br>(208)886-7790 |

Priority Date: 11/22/1994

Basis:

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| STOCKWATER            | 1/01 to 12/31           | 0.100 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.100 CFS             |                      |

Location of Point(s) of Diversion

|                |                 |                                 |
|----------------|-----------------|---------------------------------|
| GROUND WATER   | SW1/4SW1/4NW1/4 | Sec. 35, Twp 04S, Rge 16E, B.M. |
| LINCOLN County |                 |                                 |

Place of Use

STOCKWATER

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 04S | 16E | 35  |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |        |

Conditions of Approval:Remarks:

- General Two points of diversion are located within SWSWNW, S35, T04S, R16E. Stockwater use is for 1000 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Permit Report 37-8839

Comments:

1. SCURTIS 2/20/1996 Proof of Beneficial Use Rcvd  
Comment: Proof of Beneficial Use Rcvd
2. JYARBROU 4/15/1996 Lapse Notice Sent  
Comment: Lapse Notice Sent

Dates and Other Information:

Permit Proof Due Date: 3/1/1996  
Permit Proof Made Date: 2/16/1996  
Permit Approved Date: 2/24/1995  
Permit Moratorium Expiration Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Field Exam Date:  
Date Sent to State Office:  
Date Received at State Office:  
Formal Action Date:  
State or Federal:  
Owner Name Connector: AND  
Water District Number: 37  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False