

RECEIVED

MAY 11 2004

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 37-12784
Date Received: 9/20/1988
Receipt No: S002317
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BOOTJACK LTD PARTNERSHIP Phone: (208)886-7540
PO BOX 856
SHOSHONE ID 83352

2. Date of Priority: 12/31/1963

3. Source: WASTE WATER Trib. to: RETURNED TO CANAL

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	15E	9	SW NW NE	GOODING	

5. Description of diverting works:

OPEN DITCH TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.24	

7. Total Quantity Appropriated is:
0.24 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	9	NE	NW	IRRIGATION	1
			SE	NW	IRRIGATION	5
			NE	SW	IRRIGATION	6
					Section Acres	12
					Total Acres	12

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:

15. Basis of Claim: Beneficial Use



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

May 10, 2004

BOOTJACK LTD PARTNERSHIP
PO BOX 856
SHOSHONE ID 83352

Re: SRBA Claim(s) 37-12784

Dear Mr. and Mrs. Kerner:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

RECEIVED
MAY 04 2004
Department of Water Resources
Southern Region

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
37-12784					

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) Carlene Egersdorf and Ralph Egersdorf
1337 S. 2100 E., Gooding, ID 83330
4. New Owner/Claimant(s) Bootjack Limited Partnership
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 856
- City, State and ZIP Code Shoshone, ID 83352
- New Telephone Number (208) 886-7540
- Date you acquired the property April, 2004

WARRANTY DEED

#GG-05284

For Value Received

Ralph A. Egersdorf and Carlene Egersdorf, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Bootjack Limited Partnership, an Idaho Limited Partnership

Address: P.O. Box 856, Shoshone, ID 83352

Hereinafter called the Grantee, the following described premises situated in **Gooding** County, Idaho, to-wit:

TOWNSHIP 5 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 9: S½NE¼; E½SE¼NW¼; and NE¼SW¼

EXCEPTING therefrom that part of the SE¼NE¼ described as follows:

Beginning at the Northeast corner for Section 9 marked with a 5/8" inch steel pin and survey cap;

Thence South 1854.70 feet along the Easterly boundary of Section 9 to the TRUE POINT OF BEGINNING;

Thence West 168.46 feet;

Thence Southwesterly 299.75 feet along the Arc of a Curve right having a Radius of 1298.69 feet and a long Chord of South 31°33'35" West 299.09 feet;

Thence South 484.12 feet;

Thence East 325.00 feet to the Easterly boundary of Section 9;

Thence North 738.98 feet along the Easterly boundary of Section 9 to the TRUE PONT OF BEGINNING

SUBJECT TO a County Road Right-of-Way being 25.00 feet in width along the Easterly boundary.

Section 10: SW¼NW¼ and NW¼SW¼

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2004 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Page of Warranty Deed

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 200.0 Shares of Capital Stock of the Big Wood Canal Company and 20.0 Acre Shares of American Falls Reservoir #2 and any licenses with the State of Idaho, including but not limited to Water Right No. 37-12784.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 22, 2004

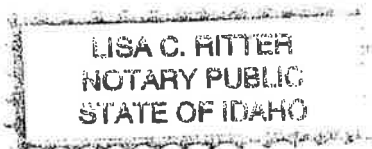
Ralph A. Egersdorf
Ralph A. Egersdorf

Carlene Egersdorf
Carlene Egersdorf

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 22 day of **April, 2004**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Ralph A. Egersdorf and Carlene Egersdorf**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

[Signature]
Notary Public
Residing at: Hagerman, ID
My Commission expires: 10/06/04

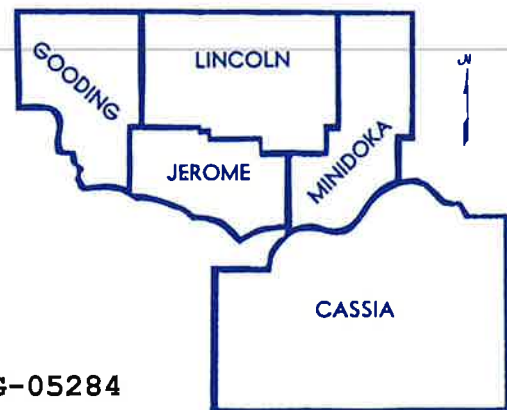


Instrument # 205871
GOODING, GOODING, IDAHO
2004-04-22 02:43:01 No. of Pages: 2
Recorded for: LAND TITLE
HELEN EDWARDS Fee: 6.00
Ex-Officio Recorder Deputy Renny Watson



Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: GG-05284
OFFICE: Gooding

May 3, 2004

Department of Water Resources
Southern Region
1341 Fillmore Suite 200
Twin Falls, Idaho 83301

RECEIVED
MAY 04 2004
Department of Water Resources
Southern Region

RE: Notice of Change of Water Right Ownership
Egersdorf to Bootjack Limited Partnership
Cert Mail #7001 1940 0000 0633 2468

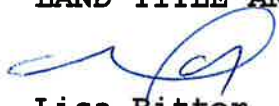
Dear Sirs:

At the request of the buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership on Egersdorf to Bootjack for Water Right Number 37-12784
- Copy of Deed #205871
- Copy of Map
- Check #15578 in the amount of \$50.00 for the transfer fee.

Thank you,

LAND TITLE AND ESCROW, INC.


Lisa Ritter
(208) 934-8477
P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

cc: Bootjack Limited Partnership
P.O. Box 856
Shoshone, ID 83352



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

May 6, 2004

ATTN LISA
LAND TITLE & ESCROW INC
PO BOX 473
GOODING ID 83330

RE: Your file GG-05284
Egersdorf to Bootjack Ranch
SRBA Claim Nos. 37-12784

Dear Lisa:

I am in receipt of the Notice of Change of Water Right Ownership you recently submitted on the above listed transaction. Because this claim has not yet been decreed in the Snake River Basin Adjudication, no fee is due to process the owner change. I am herein returning Land Title & Escrow's check no. 15578 in the amount of \$50.00. Should you have any questions feel free to give me a call.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish'.

Trish Fawcett
Technical Records Specialist

Enc.

37-12784

**T05S R15E
S09**



Map prepared by: Carter Fritschle
Date prepared: 12/21/04
1987-1988 NAPP photography
Idaho Department of Water Resources

12/21/2004

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

RIGHT NUMBER: 37-12784

NAME AND ADDRESS: BOOTJACK LTD PARTNERSHIP
PO BOX 856
SHOSHONE ID 83352

SOURCE: WASTE WATER

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.240 CFS

PRIORITY DATE: 03/15/1964

POINT OF DIVERSION:

T05S R15E S9 NWNE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.240 CFS

PLACE OF USE:

IRRIGATION Within GOODING County

T05S R15E S09	NENW	0.4	T05S R15E S09	SENE	7.9
T05S R15E S09	NESW	3.7			

12 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: Beneficial Use

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

Use of this right is combined with water from American Falls Reservoir Dist. No. 2.

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

IDWR Field Exam Form

04/07/2004

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	RALPH EGERSDORF	1337 S 2100 E	GOODING	ID	83330	(208)934-5173
Current Owner	CARLENE EGERSDORF	1337 S 2100 E	GOODING	ID	83330	(208)934-5173
		Marshal Kerner Cell home				308-7541 886-7540

Date of Field Exam: 4-20-04 Time: 1:30 PM

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: NONE

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

SAME

I visited with Mr Egersdorf (very elderly man) he advised me that he is in process of selling his farm - He informed me that he has owned and farmed this property many years prior to Dec. 31, 1963 and he was perfectly satisfied with the priority date and did not want it changed.

First Amer Title (^{Leesa}~~Rachel~~) 934-4427 is helping this sale she advised me that papers will be provided to IDWR twin falls when all is complete. Boot Jack Dairy will be new owner, Warranty Deed Attached and letter dtd April 23, 2004

Reviewer: LEEDate: 4-20-04

Point of Diversion and Source Data Entry Form

Claim Number 37-12784

Claimed Point of Diversion and Source

T05S R15E S9 SWNWNE Within GOODING County Source: WASTE WATER RETURNED TO CANAL

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Delivered by a
Tributary To
Amer Falls Res. Milner Big wood River
Canal &

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? Amer Falls Res. Dist.

Document how the POD and Source were verified:

The POD on Thorne C, Photo is very close
to the original and present as per
Ralph Egersdorf (a very out spoken & hard spoken man)

Reviewer: LEE

Date: 4-20-04

Place Of Use Data Entry Form

Claim Number 37-12784

Claimed Place Of Use

T05S R15E S09	NENW	1.0	T05S R15E S09	SENE	5.0
T05S R15E S09	NESW	6.0			

Total Acres 12

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres 12

Document how the POU was verified:

Mr Eggersdorff informed me the two 6 acre
locations are correct for place of use
that he used

Reviewer: LEEDate: 4-20-04

Period of Use and Quantity Data Entry Form

Claim Number 37-12784

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	0.24	

Overall Diversion Rate 0.24

Overall Diversion Volume

☐ 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
-----------	-------	-----	------	--------

Overall Diversion Rate

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
VARIES				

Overall Diversion Rate ^{0.24} up & down Overall Diversion Volume

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

The amount of water for this claim depends on the year and how neighbors use their water during dry years water is low then on good years it is up so average is close to claimed

Reviewer: LSEDate: 4-20-04

37-12784

4.27.04

Mr & Mrs Nershai Kerner acquired letter from Ralph Egersdorf regarding priority date, deeds all attached. Mr Egersdorf advised me that the POD - POA are the same, nothing has changed and looking at his property I could not see any significant difference.

The Deed from Mrs Kerner, new name (Bootjack Limited Partners) are them and son with address Box 856 Shoshone (see deed)

This water is part of water to Amer Falls Dist delivered to their water users.

April 23, 2004

To Whom It May Concern:

The wastewater right (claim) identified as 37-12784 on the farm I owned in 1963 was being used on 12/31/1963. Priority date for said wastewater is 12/31/1963. See the attached description on the notice of claim to a water right acquired under state law.



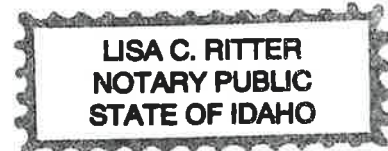
Ralph A. Egersdorf or Carlene Egersdorf



Notary Public

Residing at: Hagerman, ID
Commission Exp: 10/06/04

Signed before me this 26 day of April, 2004



WARRANTY DEED

#GG-05284

For Value Received

Ralph A. Egersdorf and Carlene Egersdorf, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**Bootjack Limited Partnership, an Idaho Limited Partnership
Address: P.O. Box 856, Shoshone, ID 83352**

Hereinafter called the Grantee, the following described premises situated in **Gooding** County, Idaho, to-wit:

**TOWNSHIP 5 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING
COUNTY, IDAHO**

Section 9: S $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$; and NE $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPTING therefrom that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows:

**Beginning at the Northeast corner for Section 9 marked with a 5/8" inch steel pin and survey cap;
Thence South 1854.70 feet along the Easterly boundary of Section 9 to the TRUE POINT OF BEGINNING;
Thence West 168.46 feet;
Thence Southwesterly 299.75 feet along the Arc of a Curve right having a Radius of 1298.69 feet and a long Chord of South 31°33'35" West 299.09 feet;
Thence South 484.12 feet;
Thence East 325.00 feet to the Easterly boundary of Section 9;
Thence North 738.98 feet along the Easterly boundary of Section 9 to the TRUE PONT OF BEGINNING**

SUBJECT TO a County Road Right-of-Way being 25.00 feet in width along the Easterly boundary.

Section 10: SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2004 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Page of Warranty Deed

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 200.0 Shares of Capital Stock of the Big Wood Canal Company and 20.0 Acre Shares of American Falls Reservoir #2 and any licenses with the State of Idaho, including but not limited to Water Right No. 37-12784.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 22, 2004

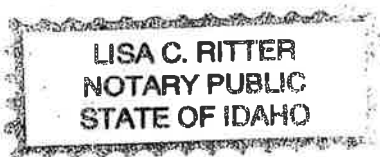
Ralph A. Egersdorf
Ralph A. Egersdorf

Carlene Egersdorf
Carlene Egersdorf

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 22 day of **April, 2004**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Ralph A. Egersdorf and Carlene Egersdorf**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

[Signature]
Notary Public
Residing at: Hagerman, Id
My Commission expires: 10/06/04



BILL OF SALE

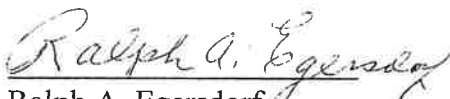
#GG-05284

KNOW ALL MEN BY THESE PRESENTS, That on this **22nd** day of **April, 2004**, **Ralph A. Egersdorf and Carlene Egersdorf** of **Gooding**, County of **Gooding**, State of **Idaho**, the parties of the first part, for and in consideration of the sum of **TEN DOLLARS**, and other valuable considerations of the United States of America, **(\$10.00)** to be in hand paid by **Bootjack Limited Partnership** of **Shoshone**, County of **Lincoln**, State of **Idaho**, the party of the second part, the receipt whereof is hereby acknowledged, do by these presents Grant, Bargain, Sell and convey unto the said party of the second part, its executors, administrators and assigns:

-All Gated Pipe

TO HAVE AND TO HOLD The same to the said party of the second part, its executors, administrators and assigns, forever; and the said parties of the first part do for their heirs, executors and administrators, covenant and agree to and with the said party of the second part, executors, administrators or assigns to WARRANT and DEFEND the sale of said property, goods and chattels hereby made unto the said party of the second part, its executors, administrators and assigns, against all and every person and persons whomsoever, lawfully claiming or to claim the same.

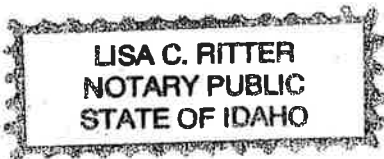
IN WITNESS WHEREOF, the said parties of the first part do hereunto set their hands and seals the day and year first above written.


Ralph A. Egersdorf


Carlene Egersdorf

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 22 day of **April, 2004**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Ralph A. Egersdorf and Carlene Egersdorf**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.




Notary Public
Residing at: Hagerman, ID
My Commission expires: 10/06/04



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

April 7, 2004

37-12784
RALPH EGERSDORF
CARLENE EGERSDORF
1337 S 2100 E
GOODING ID 83330

Re: Evidence of Priority Date

Dear Claimants:

RESPONSE DEADLINE
MAY 10, 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

CA

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: A37-12784
Date Received: 8/29/1988
Receipt No: S002317
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARLENE EGERSDORF 208-934-5173
Address: 1337 SOUTH 2100 EAST
GOODING, ID 83330
OR
Name: RALPH EGERSDORF 208-934-5173
Address: 1337 SOUTH 2100 EAST
GOODING, ID 83330

2. Date of Priority: DEC 31, 1963

3. Source: WASTE WATER Trib. to: RETURNED TO CANAL

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	15E	9	SW	NW	NE		GOODING

5. Description of diverting works:
OPEN DITCH TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.240		

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

8. Total consumptive use is 36.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	9	NE	NW		IRR	1.0
			SE	NW		IRR	5.0
			NE	SW		IRR	6.0
						Section Acres	12.0
						Total Acres	12.0

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:
WATER FROM AMERICAN FALLS CANAL

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 _____

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: 39356

Ident. Number

A37-12784

Date Received

8-29-88

Receipt Number

5002317

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

AUG 31 1988

Department of Civil Resources -
Southern Region Office

Please type or print clearly

- Name of Claimant (s) RALPH OR CARLENE EGERSDORF Phone (208) 934-5173
Mailing Address 1337 S. 2100 E. GOODING, ID Zip 83330
- Date of Priority (Only one (1) per claim) 12/31/1963
- Source of water supply (a) WASTEWATER
which is tributary to (b) RETURNED TO CANAL
- a. Location of existing point of diversion is: Township SS Range 1SE Section 9,
SW 1/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of GOODING
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. OPEN DITCH TO POU

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FEB 26 1993

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 11/1 amount 0.24 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.24 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 36 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>SS</u>	<u>15E</u>	<u>9</u>					<u>1</u>			<u>5</u>	<u>6</u>								<u>12</u>

Total number of acres irrigated 12

11. In which county (ies) are lands listed above as place of use located? GOODING

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
WATER FROM AMER FALLS CANAL or None ()

14. Remarks:

Last Name EGERSDORF Ident No. A37-

Copies: White State, Yellow Claimant

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FEB 26 1993

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) Ralph Egersdorf Date Aug 12-88
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or Id)
County of Boone) SS.

Subscribed and sworn (or affirmed) before me this _____ day of Aug 19 88

SEAL

Notary Public John John Carson

Residing at Boone Id

My Commission Expires 6/2/94

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name EGERSDORF Ident. Number A37-

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FEB 26 1993

Copies White-State, Yellow-Claimant

8/01/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME EGERSDORF CLAIM IDENT. NO. A37-12784
 DATE RECEIVED 8-29-88 CK # 338 3394 AMOUNT \$ 137⁰⁰

4 Claims

YES

NO

1. Is the name and address complete with zip code? ☒ ✓
 2. Is priority date entered? ☒ ✓

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? ☒ ✓
 (b) Is a tributary to entered? (if required) ☒ ✓
 4. Is the legal description of the p.d. complete? ☒ ✓
 5. Is there a description of the diverting works? ☒ ✓
 6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form. ☒ ✓
 Is the period of use included? ☒ ✓
 Is a quantity claimed for each use? ☒ ✓
 7. Is a total quantity claimed entered? ☒ ✓
 8. Is the consumptive use correct? ☒ ✓
 If required is a consumptive use entered? ☒ ✓
 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. ☒ ✓
 10. Is (are) the place(s) of use entered? ☒ ✓
 11. Is (are) the county(ies) entered? ☒ ✓
 12. Is the ownership of p.u. checked? ☒ ✓
 13. Are other water rights listed or "none" checked? ☒ ✓
 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ ✓
 15. Is the basis of the claim checked? ☒ ✓
 16. Is the claim signed by the claimant?
 Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒ ✓
 Has the claim been signed, sealed, and dated by a notary? ☒ ✓
 Is the fee enclosed correct? ☒ ✓
 If this claim is based on an existing water right, has the identification number been entered? ☒ N/A ✓
 Should this claim be receipted and data entered? ☒ ✓

Claim checked by:

MICROFILMED

Comments:

FEB 26 1993



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

April 7, 2004

37-12784
RALPH EGERSDORF
CARLENE EGERSDORF
1337 S 2100 E
GOODING ID 83330

Re: Evidence of Priority Date

RESPONSE DEADLINE
MAY 10, 2004

Dear Claimants:

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

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	15E	9	NE		NW		IRR	1.0
			SE		NW		IRR	5.0
			NE		SW		IRR	6.0
							Section Acres	12.0
							Total Acres	12.0

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:
WATER FROM AMERICAN FALLS CANAL

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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: 39356

Ident. Number A37-12784Date Received 8-29-88Receipt Number 5002317

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

AUG 30 1988

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) RALPH OR CARLENE EGERSDORF Phone (208) 934-5173Mailing Address 1337 S. 2100 E. GOODING, ID Zip 833302. Date of Priority (Only one (1) per claim) 12/31/19633. Source of water supply (a) WASTEWATER
which is tributary to (b) RETURNED TO CANAL4. a. Location of existing point of diversion is: Township 5S Range 15E Section 9,SW 1/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of GOODING

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. OPEN DITCH TO POU

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FEB 26 1993

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) Ralph Eggersdorf

Date Aug 12-88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or Id)
County of Booie) SS.

Subscribed and sworn (or affirmed) before me this _____ day of Aug 19 88

SEAL

Notary Public John John Carson

Residing at Booie Id

My Commission Expires 6/2/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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FEB 26 1993

Last Name EGERSDORF Ident. Number A37-

Copies White-State, Yellow-Claimant

8/01/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME EGERSDORFCLAIM IDENT. NO. A37-12784DATE RECEIVED 8-29-88CK # 338 3394AMOUNT \$ 137⁰⁰4 Claims

YES

NO

1. Is the name and address complete with zip code? ✓2. Is priority date entered? ✓

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Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ✓Has the claim been signed, sealed, and dated by a notary? ✓Is the fee enclosed correct? ✓If this claim is based on an existing water right, has the identification number been entered? N/A ✓Should this claim be receipted and data entered? ✓

Claim checked by

MICROFILMED

Comments:

FEB 26 1993