

5/2/02

06/22/2002

NOTICE OF ERROR
REPLY

RECEIVED
JUL - 2 2002

Department of Water Resources

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 23, 2002

Water right number: 37-13385

GARY A GORZEMAN
PO BOX 356
GOODING ID 83330
Telephone Number: (208)934-5115

TAMI J GORZEMAN
PO BOX 356
GOODING ID 83330
Telephone Number: (208)934-5115

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6/25/02

SIGNATURE:

Please print your name:

GARY A GORZEMAN

IDWR State Office, PO Box 83720, Boise ID 83707-9815

04/25/2002

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

RIGHT NUMBER: 37-13385
NAME AND ADDRESS: GARY A GORZEMAN
PO BOX 356
GOODING ID 83330

TAMI J GORZEMAN
PO BOX 356
GOODING ID 83330

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.30 CFS
14.6 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-8867 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 42.6 AF.

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 08/07/1979

POINT OF DIVERSION:

T06S R15E S1 SWSENW Within GOODING County

T06S R15E S1 SWSENW 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
STOCKWATER	01/01 12/31	0.260 CFS 13.70 AFY

PLACE OF USE: DOMESTIC Within GOODING County

T06S R15E S01 SENW

STOCKWATER Within GOODING County

T06S R15E S01 SWNE T06S R15E S01 SENW

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

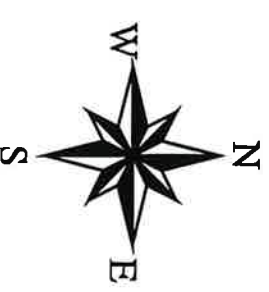
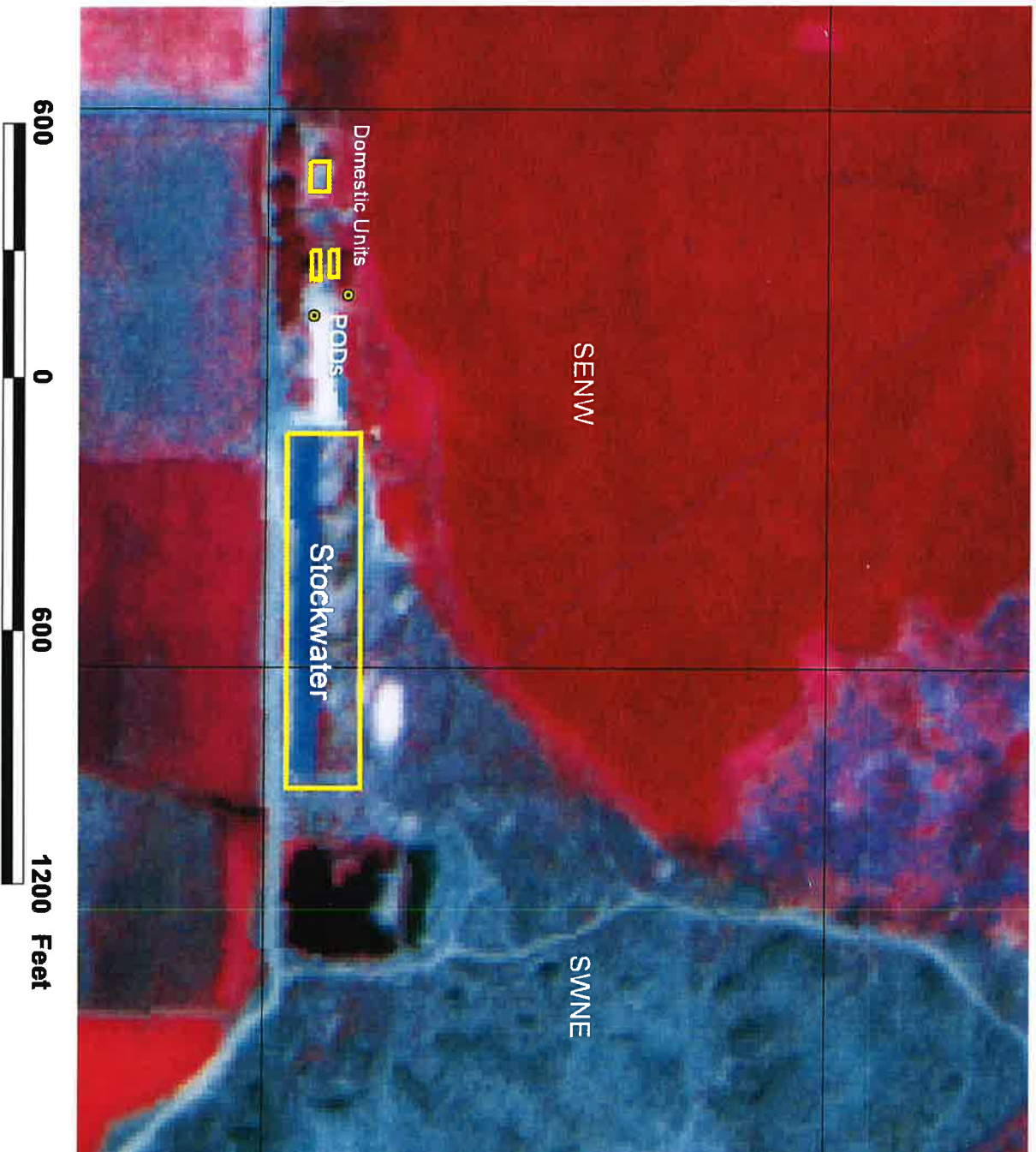
EXPLANATORY MATERIAL: Beneficial Use
STOCKWATER 350 COW DAIRY
PARCEL NO. RP 06S15E014761



37-13385 7-16-1992

37-13385

T06S R15E
S01



FROM: Allen Merritt *AM*

DATE: August 4, 1999

TO: Transfer File No. 5472
Water Right(s): 37-08867
A37-13385

In the Name of: Gorzeman

SUBJECT: Review and Recommendation

This transfer proposes to add a second well to a system supplying water to a dairy. The dairy is supplied water from rights A37-13385 and 37-08867 (renumbered from 36-07337D) that were subject of approved transfer 5051. The previous transfer converted a portion of an irrigation right with the domestic right at the dairy site but the transfer did not authorize drilling of any new wells. This transfer adds a well.

The new well has already been drilled and the old domestic well replaced by Eaton Drilling by using start cards which initiated a NOV with the driller. During that process it was discovered that at the dairy there are actually the main residence and 2 trailers occupied by employees. Fees were collected in the NOV to cover well drilling fees for the wells.

RECOMMENDATION

I recommend that the transfer be approved subject to the following conditions:

- This transfer authorizes the use of two existing wells (both recently drilled) at the dairy site under rights 37-08867 and 37-13385.
- When the above rights are combined the use is limited 0.30 cfs and 42.6 afa for domestic (3), stock and commercial use at the dairy site.
- Use is subject to measuring and reporting of use through the West ESPA Measurement District. (Both wells need to be measured.)
- Other conditions similar to Transfer 5051.

COPY

A37-13385

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: A37-13385
Date Received: 5/ 9/1990
Receipt No: S012280
Received By: Q/C ALB

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: GARY A GORZEMAN 208-934-5115
Address: PO BOX 356
GOODING ID 83330
AND
Name: TAMI J GORZEMAN 208-934-5115
Address: PO BOX 356
GOODING ID 83330

2. Date of Priority: AUG 7, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	15E	1	SW	SE	NW		GOODING

5. Description of diverting works:
176'X6" WELL, 3HP PUMP

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	0.260		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/350 COW DAIRY

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	15E	1	SW		NE		STOCK	
			SE		NW		DOMEST	
			SE		NW		STOCK	

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:
OWNERSHIP CHANGE MADE 7/22/97 BY TLB.

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

AUG 19, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GARY & TAMI GORZEMAN
PO BOX 356
GOODING ID 83330

RE: SRBA CLAIM(S): A37-13385
ALMEDIA

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THESE COPIES ARE FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

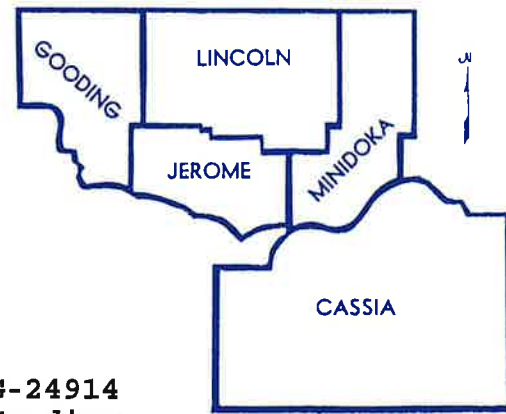
A handwritten signature in cursive script, reading 'Tara L. Backlund'.

TARA L. BACKLUND
ADJUDICATION RECORDS CLERK

/tlb
ENCLOSURES

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: G-24914
OFFICE: Gooding

June 17, 1997

State of Idaho
Department of Water Resources
Southern Region
1341 FILLMORE SUITE 200
Twin Falls, Idaho 83301-3380

RECEIVED
JUN 18 1997
Department of Water Resources
Southern Region

RE: Notice of Change of Water Right Ownership
GORZEMAN/ALMEIDA
Cert Mail #P248-124-277

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
on the above referenced
for Water Right Number A37-13385
- Copy of Deed #170516
- Copy of map

Thank you,

LAND TITLE AND ESCROW, INC.


Betty Fredericksen

(208) 934-8477

P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

cc: Gorzeman

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0808 - FAX 436-1199

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

JUN 18 1997

Department of Water Resources
Southern Region

1. Water Right Number(s) _____
Adjudication Claim Number(s) A37-13385
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) ALVINA ALMEIDA AND DOLOR ALMEIDA
2326 EAST 1850 SOUTH GOODING, IDAHO 83330
4. New Owner/Claimant(s) GARY A. AND TAMI J. GORZEMAN
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address PO Box 356
City, State and ZIP Code Gooding
New Telephone Number (208) 934-5115
5. Date you acquired the property APRIL 22, 1997
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 0 Number and type of stock 800+
Diversion rate in CFS _____ Number of homes 3 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) Gary A. Gorzeman Date 4/22/97
Tami J. Gorzeman Date 4-22-97
8. (Corporations or other organizations must submit 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.

Almeida T6S, RISE Sec 1

143L
12.9

143L
12.9

143L
14.6

10.2

143L
12.9

10.6

50.9

14.7

14.7

12

WARRANTY DEED

For Value Received DOLOR ALMEIDA and ALVINA T. ALMEIDA, husband and wife, the Grantors, grant, bargain, sell, and convey to GARY A. GORZEMAN and TAMI J. GORZEMAN, husband and wife, the Grantees, whose address is PO BOX 532, PARMA ID 83660, the premises described on Schedule A together with all water rights appurtenant thereto.

TO HAVE AND TO HOLD the premises, with their appurtenances to the Grantees and their heirs and assigns forever. The Grantors covenant and warrant to and with the Grantees, that the Grantors are the owners in fee simple of the premises; that they are free from all encumbrances except as described above and that Grantors will warrant and defend the same from all lawful claims whatsoever.

Dated April 22, 1997.

RECEIVED
JUN 18 1997
Department of the State

Dolor Almeida
DOLOR ALMEIDA

Alvina T. Almeida
ALVINA T. ALMEIDA

STATE OF IDAHO)
County of Gooding.)

On April 22, 1997, before me, a Notary Public in and for said State, personally appeared DOLOR ALMEIDA and ALVINA T. ALMEIDA, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed it.



BETTY FREDERICKSEN
NOTARY PUBLIC
STATE OF IDAHO

Betty Fredericksen
Notary Public for Idaho
Commission Expires: 3-29-2000

Gooding County, Idaho
Commission Expires 3-29-2000

Sally

Smith, Beeks & Hodges
Attorneys At Law
210 Sixth Avenue East
Post Office Box 508
Twin Falls, Idaho 83303-0508

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

TOWNSHIP 6 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 1: That part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the S $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Commencing at the West quarter corner of Section 1;
Thence South 89°51'33" East, 1315.50 feet along the
Southerly boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ to the
Southeast corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence South 89°51'33" East along the Southerly
boundary of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 41.79 feet to THE TRUE
POINT OF BEGINNING;

Thence North 220.00 feet;

Thence South 89°51'33" East, 400.00 feet;

Thence North 72°52'10" East, 433.48 feet;

Thence North 70°09'32" East, 499.08 feet;

Thence North 38°56'06" East, 631.96 feet to a point
20 feet Southerly of a twelve inch steel irriga-
tion pipeline;

Thence approximately parallel and twenty feet
Southerly with said irrigation line the
following courses:

North 89°39'17" East, 361.77 feet;

South 82°53'31" East, 209.23 feet;

North 81°52'46" East, 264.49 feet;

South 75°46'25" East, 127.08 feet;

South 82°27'32" East, 867.59 feet;

South 89°09'07" East, 355.42 feet;

North 85°47'50" East, 54.00 feet to the

Easterly boundary of Section 1;

Thence South 884.52 feet along said boundary to the
East quarter corner of Section 1;

Thence North 89°51'33" West, 3904.58 feet along the
Southerly boundary of N $\frac{1}{2}$ Section 1 to THE TRUE
POINT OF BEGINNING.

SUBJECT to a 25.00 feet in width county road right
of way along the Southerly boundary and a 20.00
feet in width easement for an irrigation pipeline
described as follows:

Beginning at the West quarter corner of Section 1;
Thence South 89°51'33" East, 1357.29 feet along the
Southerly boundary of the NW $\frac{1}{4}$;
Thence North 35.00 feet to the centerline of a

C o n t i n u e d

Schedule A Page 2 No. 85-00-425902

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA

SCHEDULE A cont'd.

20.00 feet in width irrigation pipeline easement
and THE TRUE POINT OF BEGINNING;
Thence South 89°51'33" East, 287.00 feet along said
centerline;
Thence North 0°47'18" West, 185.00 feet along said
center to the Northerly boundary of afore
described parcel of land.

TOGETHER WITH an easement for access purposes being
10.00 feet wide described as follows:

Beginning at the West quarter corner of Section 1;
Thence South 89°51'33" East, 1357.29 feet along the
Southerly boundary of N $\frac{1}{2}$ Section 1 to THE TRUE
POINT OF BEGINNING;
Thence North 220.00 feet;
Thence South 89°51'33" East, 400.00 feet;
Thence North 72°52'10" East, 433.48 feet;
Thence North 70°09'32" East, 499.08 feet;
Thence North 19°50'28" West, 10.00 feet;
Thence South 70°09'32" West, 499.08 feet;
Thence South 72°52'10" West, 431.45 feet;
Thence North 89°51'33" West, 408.54 feet;
Thence South 230.00 feet;
Thence South 89°51'33" East, 10.00 feet to THE TRUE
POINT OF BEGINNING.

170516

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of Land Title & Escrow Inc.

16 min. past 2 o'clock P.m. this 22nd

of April 1997 9:00

By Penny Watson Deputy

Schedule A Page 3 No. 85-00-425902

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: A37-13385
Date Received: 5/09/1990
Receipt No: S012280
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALVINA ALMEIDA 208-934-5990
Address: 2326 EAST 1850 SOUTH
GOODING, ID 83330

AND/OR

Name: DOLOR ALMEIDA 208-934-5990
Address: 2326 EAST 1850 SOUTH
GOODING, ID 83330

2. Date of Priority: AUG 07, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	15E	1	SW	SW	NE		GOODING

5. Description of diverting works:
176'X6" WELL, 3HP PUMP

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	0.260		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/350 COW DAIRY

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	15E	1	SW	NE		STOCK	
			SW	NE		DOMEST	

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:
WELL SUPPLIES WATER TO 350 COW DAIRY THAT IS CURRENTLY PART OF
THE DAIRY BUY-OUT AND NOT IN USE. EXPECT TO BE OPERATING IN
1991.

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): Delaz Almerda Date: 5-9-90

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 9th day

of May 19 90

Lon White
Notary Public

Seal

Residing at TF

My Commission Expires

5/94

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: **A37-13385**
Date Received: 5/ 9/1990
Receipt No: S012280
Received By: See

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ALVINA ALMEIDA 208-934-5990
Address: 2326 EAST 1850 SOUTH
GOODING ID 83330
AND/OR
Name: DOLOR ALMEIDA 208-934-5990
Address: 2326 EAST 1850 SOUTH
GOODING ID 83330
2. Date of Priority: AUG 7, 1979
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 06S | 15E | 1 | SW | SE | NW | | GOODING |
5. Description of diverting works:
176'X6" WELL, 3HP PUMP
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 | 0.260 | | |
7. Total Quantity Appropriated is:
0.300 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/1 HOUSE, S/350 COW DAIRY

MICROFILMED
OCT 26 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	15E	1	SW	NE		STOCK	
			SE	NW		DOMEST	
			SE	NW		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: 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): Alvina Almeida Date: 6-30-94

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of June 19 94 Steve Chell
Notary Public

Seal

Residing at Twin Falls

My Commission Expires 12-7-94

MICROFILMED

COMMUNICATION DOCUMENTATION

Claim No. A37-13385

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.

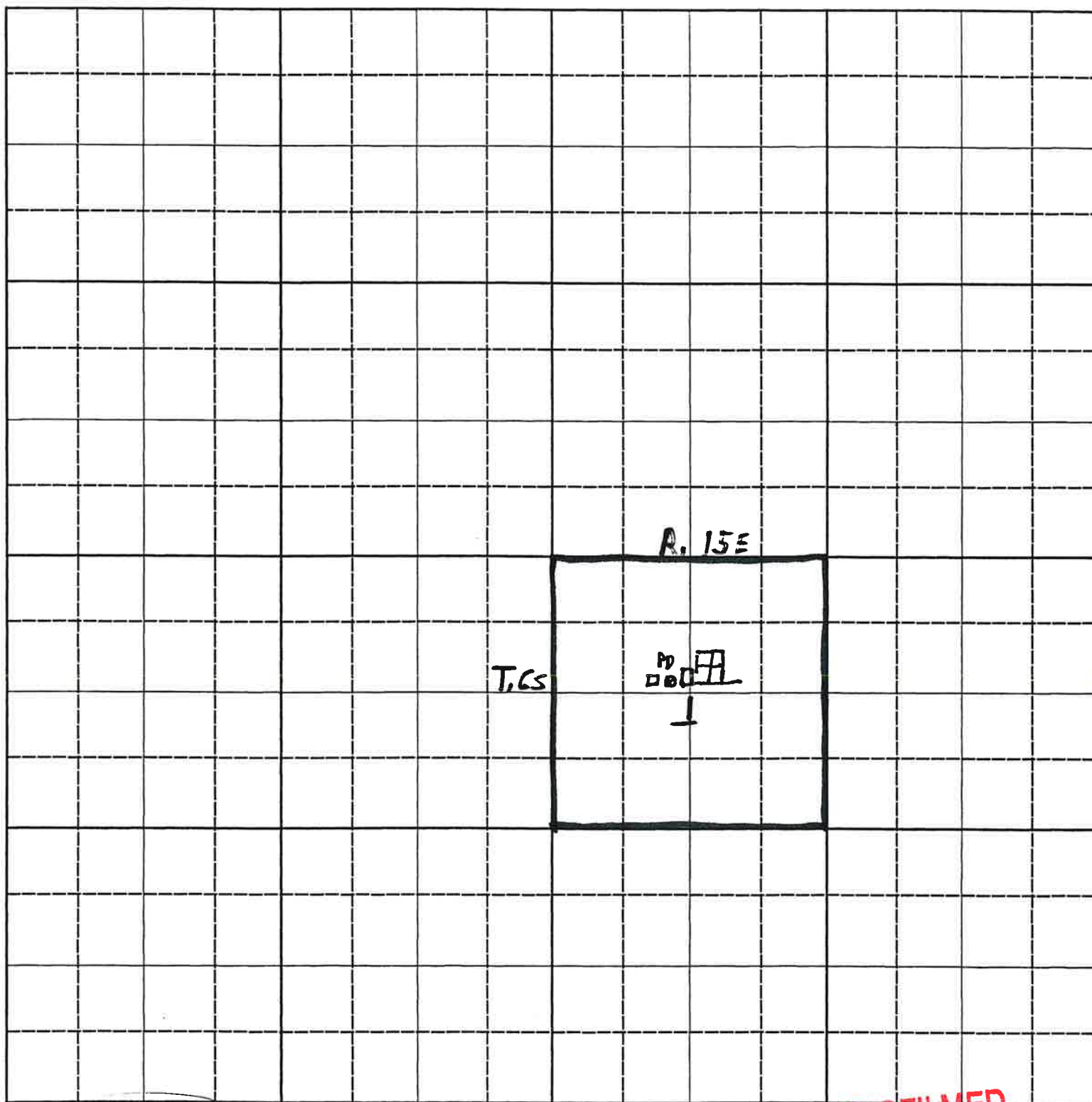
IDWR Employee/Agent STEVE CLELLAND Date 6-30-94Contact Person(s) ALVINA ALMEIDA & SONNature of Contact To clarify & correct water right for Dairy.

Substance of Communication Met with Jim Stanton and Filed
AN APPLICATION FOR PERMIT FOR USES ABOVE THAT
SHOWN ON THE CLAIM. IN DOING THIS THEY FOUND
THE CLAIM WAS INCORRECT ON POD & POB legal descriptions.
They amended the claim to match the new permit
legals as the found on the topo map. Also removed
the Remarks; The Remarks were not valid and failed to
mention the water was used on a 1500 feedlot when not used
for Dairy. I also explained the claim is their statement
not IDWR's and helped them to understand how
the claim & the permit fit together to describe what
they actually have at the farm.

MICROFILMED

OCT 26 1994

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

MICROFILMED

OCT 26 1994

A37-13385

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

AS AMENDED:

MAP Copy from
Application for Permit

Wanda Almeida
(Applicant)

COMMUNICATION DOCUMENTATION

Claim No. A37-13385

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 Allen Merritt Date 6/29/94Contact Person(s) Barbara Watts (Realtor)

Nature of Contact She called asking about W.R.
for well used for Dairy in TGS, RISE
Sec 1, belonging to Almeida

Substance of Communication _____

I found above claim and told her
what they had claimed. I indicated that
since use developed in 1979 no more
than 13,000 gal/day would be allowed.
If they needed more they would have
to get permit.

MICROFILMED

OCT 26 1994

MEMORANDUM

TO: SRBA File A37-13385

FROM: Corey Skinner /s

DATE: March 12, 1997

SUBJECT: Water Right Inquiry

Last week, on March 6th, Alvina Almeida and her son, Manuel, came by the office inquiring about their water rights for their dairy operation east of Gooding. A search through the department's database revealed the Almeida's had filed SRBA claim A37-13385 with the department. This particular claim was filed as a beneficial use claim with a 1979 priority date. The Almeida's said that their dairy was significantly larger than what was represented by their SRBA claim and wanted to change their claim to reflect actual current herd numbers. I explained to the Almeidas that their claim was their statement of the water use on their dairy and they could change it to whatever they wanted to, but under Idaho law, the most the department could recommend for a beneficial use claim developed after 1963, would be 13,000 gallons per day. I explained to the Almeida's that 13,000 gallons per day would probably be enough water for a 300 to 350 head dairy depending on a wide variety of various circumstances.

The search of the department's records also revealed that the Almeidas had filed an application for permit, 37-08828, for additional water for their dairy. However, this particular application is being held up in the moratorium.

After hearing my explanation of their water right situation, the Almeidas left the office. On March 11th, Mrs. Almeida came by the office and requested a copy of the water right for their dairy. I gave her a proof report of SRBA claim A37-13385.



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 12, 1997

To Whom It May Concern

Dear Sir;

I am writing this letter at the request of Mrs. Almeida regarding their dairy in Sec. 1 T. 6S R. 15E. After reviewing the data supplied by Mrs. Almeida and the water rights on file at this office, I have reached the following conclusions. Previous owners of this property developed a 600-head dairy without a legal water right in 1979. A water right was required for a dairy of this size, but none was obtained. In 1983, the Almeidas bought the property. The original animals were removed prior to the sale, and the new owners brought in 350 dairy cattle and about 300 dry animals. They also built additional corrals that have been leased to Leavell Cattle Co. ever since; Mr. Leavell has watered between 600 and 1500 animals during that period, with 600-800 animals being in the corrals during the last five years. Even with fewer milking animals than the original dairy, the daily usage has exceeded the 13,000 gallons allowed under Sec. 42-111 of the Idaho Code. Two homes have also been on the property since 1979.

In order to cover these uses, the Almeidas filed Snake River Basin Adjudication Claim A37-13385. They claimed water for 1 home and a 350-cow dairy with a 1979 priority. A water right has been required for a system of this size since 1963, however, so the validity of the claim is in question. If this claim is recommended and decreed in the SRBA (which could take several years), it would be limited to 13,000 gallons per day of usage. With the other livestock that are watered on the property, only about 116 animals could be milked within this limitation.

Application for Permit 37-08828 was also applied for, in 1994. This application requests water for an additional 250 dairy cattle, one home, and commercial use in the dairy. Due to the present moratorium on new consumptive water permits, which runs at through the end of this year, no action has been taken on this application. Even after this year, the moratorium will stay in effect until removed by our Director. It seems to be the general opinion that the Eastern Snake Plain Aquifer, which includes the Almeida property, is already fully appropriated. So it is questionable

A37-13385

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5472
WATER RIGHT NO(S) . 37-08867/A37-13385

This is to certify that: **GARY A GORZEMAN**
TAMI J GORZEMAN
PO BOX 356
GOODING ID 83330

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-08867 :			
STOCKWATER	01/01 to 12/31	0.14 CFS	26.7 AF
COMMERCIAL	01/01 to 12/31	0.14 CFS	1.3 AF
Priority: 11/25/1977			
	SUBTOTAL:	0.14 CFS	28.0 AF
Right No. A37-13385 :			
STOCKWATER	01/01 to 12/31	0.26 CFS	13.7 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Priority: 08/07/1979			
	SUBTOTAL:	0.30 CFS	* 14.6 AF
	TOTAL:	** 0.44 CFS	** 42.6 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 1, Township 06S, Range 15E
GOODING County

PLACE OF USE: STOCKWATER

TWN RGE SEC

06S 15E 1 SWNE SENW

PLACE OF USE: COMMERCIAL & DOMESTIC

TWN RGE SEC

06S 15E 1 SENW

TRANSFER NO. 5472
WATER RIGHT NO(S). 37-08867/A37-13385

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
4. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- ** 8. The total instantaneous diversion of water from all points of diversion under Transfer 5472 shall not exceed 0.44 cfs, nor total combined annual volume of 42.6 af.
- ** 9. Rights 37-08867 and SRBA Claim A37-13385 when combined shall not exceed a total annual diversion volume of 42.6 af, subject to further modification under final recommendation of the claim.
10. Approval of this transfer does not preclude the opportunity for review of the validity of SRBA Claim A37-13385 in the ongoing Snake River Basin Adjudication.
- * 11. The quantity of water under SRBA Claim A37-13385 is not a determination of historical beneficial use, and shall not exceed 13,000 gallons per day.
12. Approval of Transfer 5472 does not confirm SRBA Claimed Right A37-13385.
13. Commercial use is for a dairy.
14. Two points of diversion are located within SENW, S01, T06S, R15E.
15. Place of use under SRBA Claim A37-13385 is also identified as Parcel No. RP 06S15E014761.

Dated this 30th day of November, 1999


Chief, Water Allocation Bureau