



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

June 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RICK MARTINAT
SHERRI MARTINAT
2810 S 850 E
HAGERMAN ID 83332

RE: SRBA Claim(s) 36-00034F
Decreed Water Right 36-10207B

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding claim 36-00034F. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Enclosed you will also find a printout of decreed water right 36-00034F showing you as current owner. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Gail Lee and Mardell Davis

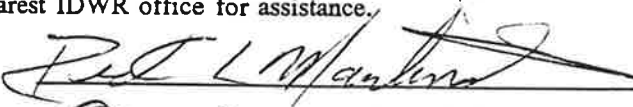
RECEIVED

OCT 08 1999

Department of Water Resources
Southern RegionSTATE 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.

1. Water Right No(s).: 36-0034F/36-10207B
Adjudication Claim No(s).: _____
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 attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Gail Lee Davis and Mardell Davis
2810 S 850 E, Hagerman, ID 83332
4. New Owner/Claimant(s) Rick L. and Sherri Martinat
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address 2810 South 850 East, Hagerman, ID 83332
City, State and ZIP Code _____
New Telephone Number () 837-6080
5. Date you acquired the property 10-6-99
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 you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
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 or Claimant(s) 

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

AJ5809NP
No. 36-102078

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/06/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GAIL LEE DAVIS	01/16/1973	DOMESTIC	01-01 12-31	0.020 CFS	
C	MARDELL RADTKE 2810 S 850 E HAGERMAN ID 83332 (208) 837-9020					
TOTAL DIVERSION:					0.020 CFS	

D COVEY HERITAGE
PO BOX 636
HAGERMAN ID 83332

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07S R13E S27

NW1/4

GOODING County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE																			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
07S	13E	27	:																												
			:																												

POU County: GOODING

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP 07S13E270800.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 36A

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. 36-00034F

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/06/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GAIL LEE DAVIS	03/30/1884	IRRIGATION	03-15 11-15	0.060 CFS	
C	MARDELL RADTKE 2810S 850E HAGERMAN ID 83332 (208) 837-9020					
TOTAL DIVERSION:					0.060 CFS	
CONSUMPTIVE USE:						4.50 AFA

D COVEY HERITAGE
PO BOX 636
HAGERMAN ID 83332

Water Source: BILLINGSLEY CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T07S R13E S11

NWSENE

GOODING County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
07s	13E	27	: 01	:	:	:	:	:	:	:	:	:	:	1.5		
TOTAL ACRES													1.5			

POU County: GOODING

Other Rights: 36-00035F

Remarks: GEN

WATER IS DELIVERED THROUGH THE BELL DITCH.

0.03 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 36A

Field Inspection Flag:

Presumption Flag:

Bell Ditch

WARRANTY DEED

For Value Received

**Gail Lee Davis And Mardell Davis,
Husband And Wife.**

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

**Rick L. Martinat And Sherri Martinat,
Husband And Wife.**

the grantee(s), whose current address is

2810 SOUTH 850 EAST, HAGERMAN, ID 83332

the following described premises, to-wit:

See Attached Exhibit "A"

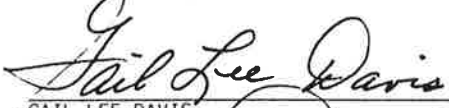
TOGETHER WITH water right numbers #36-00034F and 36-10207B.

AND

TOGETHER WITH 12 shares of Buckeye ditch water.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s). his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments. and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: October 6, 1999



GAIL LEE DAVIS


MARDELL DAVIS

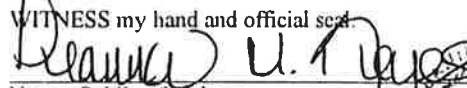
STATE OF IDAHO

: ss

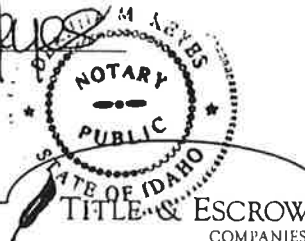
COUNTY OF GOODING

On This 16th day of OCTOBER, in the year 1999, before me, a Notary Public in and for said State, personally appeared **Gail Lee Davis And Mardell Davis**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.



Notary Public of Idaho
Residing at WENDELL, Idaho
Commission Expires: 03/22/02



G990452

EXHIBIT "A"

Township 7 South, Range 13 East, Boise Meridian, Gooding County, Idaho

Section 27: A parcel of land located in the NW1/4NE1/4,
more particularly described as follows:

Commencing at the North Quarter corner of said Section 27;
Thence South $0^{\circ}55'18''$ West along the West boundary of the Northwest
Quarter of the Northeast Quarter of Section 27, for a distance of
403.52 feet to the TRUE POINT OF BEGINNING;
Thence South $89^{\circ}57'22''$ East for a distance of 222.63 feet;
Thence South $85^{\circ}30'03''$ East for a distance of 140.41 feet;
Thence South $89^{\circ}19'13''$ East for a distance of 378.76 feet to a point on
the East bank of Bell Irrigation Ditch;
Thence along the East bank of Bell Irrigation Ditch on the following courses:
South $50^{\circ}19'02''$ West, 32.85 feet;
South $71^{\circ}31'56''$ West, 26.94 feet;
South $56^{\circ}14'22''$ West, 108.36 feet;
Thence leaving the East bank of Bell Irrigation Ditch, South $89^{\circ}16'33''$
West for a distance of 277.18 feet;
Thence South $0^{\circ}55'18''$ West parallel with the West boundary of the
Northwest Quarter of the Northeast Quarter for a distance of 8.57
feet;
Thence North $89^{\circ}38'42''$ West for a distance of 325.0 feet to a point on
the West boundary of the Northwest Quarter of the Northeast
Quarter;
Thence North $0^{\circ}55'18''$ East along the West boundary of the Northwest
Quarter of the Northeast Quarter of Section 27 for a distance of
115.48 feet to the TRUE POINT OF BEGINNING.

182772

STATE OF IDAHO COUNTY OF GOODING
GOODING TITLE & ESCROW

Filed for record at the request of
45 min. past 4 o'clock P.m. this 10th
of October 1999
By Penny Archibald



October 7, 1999

RECEIVED
OCT 08 1999
Department of Water Resources
Southern Region

Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: 36-0034F
36-10207B

Dear Sir or Madame:

Enclosed please find a Notice of Change of Water Right Ownership to be filed with your office. Also enclosed is a copy of the recorded Warranty Deed for your reference.

If you have any questions or need anything further to complete this transfer, please do not hesitate to contact our office.

Sincerely,

GOODING TITLE & ESCROW CO.

A handwritten signature in cursive script that reads "DeNene M. Dixon".

DeNene M. Dixon
Escrow Assistant

/dmd
Encl.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

See

Water Right Number - A36-10207

Adj. Flag Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SPLIT CLAIM

1 -
2 -
3 -
City- X
Phone - 208-000-0000

State- ID Zip- 0

*** O - ORIGINAL OWNER ***
SMITH

HAROLD W.

1 - RT. 1 BOX 34
2 -
3 -
City- HAGERMAN
Phone - 208-837-6537
1 - RT. 1 BOX 34
2 -
3 -
City- HAGERMAN
Phone - 208-837-6537

State- ID Zip- 83332

SMITH

WILMA A.

State- ID Zip- 83332

+ - - Priority Date - - +
01/16/1973

+ - - Region - - - +
Error in Region

+ - - Stage - - - +

+ - - Status - - - +
Z - SEE REMARKS

+ - - Source - - - - - +
GROUNDWATER
SPLIT CLAIM

+ - - Tributary - - - - - +

TwN	Rng	Sec	Tract	Lot	RFlg	Point of Diversion	County (Blank if no Index Code)
07S	13E	27	NW NW NE			(47) GOODING	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
43 - DOMESTIC		01/01	12/31		0.040	

+ - Total Div. Rate - + 0.040 + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
07S	13E	27	NW NE			43 DOMESTIC		(47) GOODING

Total Acres:

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use - D/ 1 HOUSE

MICROFILMED
FEB 07 1993

Water right number - A36-10207 Adj. flag translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - A36-07437

+ - - - - - Remarks - - - - -
THIS CLAIM IS SPLIT PER CHANGE OF OWNERSHIP 10-09-90:
A36-10207A FOR 0.02 CFS HAROLD SMITH
A36-10207B FOR 0.02 CFS JAMES FOX
WELL IS SHARED BY THE ABOVE PARTIES PER AGREEMENT.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - - +
CLELLAND

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 08/16/1990	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/13/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000912	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-

MICROFILMED
FEB 07 1993

AJ5808NP
(UD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

12/05/90 12:49:44
PAGE 1

WATER RIGHT NUMBER - A36-10207

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
SPLIT CLAIM

*** D - ORIGINAL OWNER ***
SMITH

HAROLD W.

SMITH

WILMA A.

1 -
2 -
3 -

CITY- X
PHONE - 208-000-0000

STATE- ID ZIP- 0

1 - RT. 1 BOX 34

2 -
3 -

CITY- HAGERMAN
PHONE - 208-837-6537

STATE- ID ZIP- 83332

1 - RT. 1 BOX 34

2 -
3 -

CITY- HAGERMAN
PHONE - 208-837-6537

STATE- ID ZIP- 83332

+ - - PRIORITY DATE - - +
01/16/1973

+ - - - REGION - - - +
ERROR IN REGION

+ - - - STAGE - - - +

+ - - - STATLS - - - +
Z - SEE REMARKS

+ - - - - SOURCE - - - - +
GROUNDWATER
SPLIT CLAIM

+ - - - - TRIBUTARY - - - - - +

+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

07S 13E 27 NW NW NE (47) GOODING

+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 01/01 12/31 0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040

+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

07S 13E 27 NW NE 43 DOMESTIC (47) GOODING

TOTAL ACRES:

+ - - DIVERSION MEANS - WELL AND PUMP

+ - - NON-IRRIGATION USE - D/ 1 HOUSE

+ - - OTHER RIGHTS FOR SAME USE - A36-07437

MICROFILMED
FEB 11 1993

WATER RIGHT NUMBER - A36-10207

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA

+ - - - - REMARKS - - - - - +

THIS CLAIM IS SPLIT PER CHANGE OF OWNERSHIP 10-09-90:
A36-10207A FOR 0.02 CFS HAROLD SMITH
A36-10207B FOR 0.02 CFS JAMES FOX
WELL IS SHARED BY THE ABOVE PARTIES PER AGREEMENT.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +

NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - - +

NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - - +

+ - - - - DECREE DEFENDANT - - - - +

+ - DECREE DATE - +
00/00/0000

+ - - - - COMMENTS - - - - - +

NO COMMENTS FOUND

+ - - AUDIT FIELDS - 07/13/88 CLELLAND 10/03/89 REFUNDML 10/09/90 CLELLAND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 08/16/1990	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 07/13/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
CLAIMS TAPE ERROR FLG	-	RECEIPT NUMBER	- S000912	WATER DISTRICT	-
FEE EXEMPT FLAG	-	POU OWNERSHIP FLAG	- Y	FEDERAL/STATE INDICATOR	- S
		NAME CONNECTOR	- OR	PRESUMPTION FLAG	-

Split