

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 37-19846
Date Received: 2/3/1998
Receipt No: S020863
Received By:

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

1. Name of Claimant(s)

JOHN K COLGATE JR Phone:
295 MILL HILL RD
MILL NECK NY 11765

2. Date of Priority: 05/04/1901

3. Source: THORN CREEK , THORN CREEK , THORN CREEK Trib. to: BIG WOOD RIVER , BIG
WOOD RIVER , BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
03S	15E	23	NW	SE	SW	GOODING	
03S	15E	14	NE	SE	SE	GOODING	
03S	15E	23	SW	NW	SE	GOODING	

5. Description of diverting works:

COLLECTION DITCH, DITCHES TO FIELD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/01	2.29	

7. Total Quantity Appropriated is:
2.29 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
03S	15E	14	SE	SE	IRRIGATION	3
					Section Acres	3
03S	15E	23	NE	NE	IRRIGATION	2
			NW	NE	IRRIGATION	2
			SW	NE	IRRIGATION	0.5
			SE	NW	IRRIGATION	7
			NE	SW	IRRIGATION	35
			SW	SW	IRRIGATION	20
			SE	SE	IRRIGATION	12
					Section Acres	78.5
03S	15E	26	NW	NW	IRRIGATION	27
			SW	NW	IRRIGATION	6
					Section Acres	33
					Total Acres	114.5

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:

Claim amended to change priority date to May 4, 1901 per new deed information.

THERE MAY BE SOME ACRES IN SECTION 23, NWSW, THAT HAVE HISTORICALLY BEEN IRRIGATED BUT APPEAR TO BE ON BLM LANDS.

ACTUAL POU CAN BE CONFIRMED AT THE TIME OF SRBA EXAM FOR THIS CLAIM. EST. 8 ACRES.

15. Basis of Claim: Beneficial Use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

SEP 22 2005

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

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
<u>37-19844</u>	_____	_____	_____	_____	_____
<u>37-19845</u>	_____	_____	_____	_____	_____
<u>37-19846</u>	_____	_____	_____	_____	_____
<u>37-21149</u>	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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) Richard Kraatz and Christine Kraatz
PO Box 599, Gooding, ID 83330-0599
4. New Owner/Claimant(s) John K. Colgate Jr.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 295 Mill Hill Rd.
- City, State and ZIP Code Mill Neck, NY 11765
- New Telephone Number () _____
5. Date you acquired the property 9-1-06

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)
- 

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

BCT
BLAINE COUNTY TITLE

6060214

Instrument # 218087
GOODING, GOODING, IDAHO
2006-08-01 01:48:16 No. of Pages: 2
Recorded for: BLAINE COUNTY TITLE ASSOCIATES
DENISE M. GILL
Ex-Officio Recorder Deputy *Stouffer*

QUITCLAIM DEED

THIS INDENTURE, made this 1st day of August, 2006, between
Richard Kraatz and Christine Kraatz, husband and wife, as **GRANTOR** and
John K. Colgate Jr., a married man as his sole and separate property, as **GRANTEE(S)**
whose current address is 295 Mill Hill Rd., Mill Neck, NY 11765.

WITNESS, that said Grantor(s), for an in consideration in lawful money of the United States of
America, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these
premises remise, release and forever QUITCLAIM, unto the said Grantee(s) and to its heirs and
assigns all that certain lot, piece or parcel of land, bounded and particularly described as follows,
to wit:

Water Right No. 37-19844, No. 37-19845, No. 37-19846 and No. 37-21149 appurtenant to the
property described in "Exhibit A" attached hereto

Parcel Numbers: RP03S15E136000A, RP03S15E149000A, RP03S15E230000A &
RP03S15E262400A

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto
belonging or in anywise appertaining, the reversion and reversions, remainder and remainders,
rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the
appurtenances, unto the Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

Richard Kraatz
Richard Kraatz

Christine Kraatz
Christine Kraatz

STATE OF Idaho)

COUNTY OF Blaine) ss.

On this 25th day of August, 2006, before me, the undersigned, a Notary Public, in and for
said State, personally appeared Richard Kraatz and Christine Kraatz known to me, and or
identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Kristen Kludt
Notary Public
Notary Resides: Ketchum
My commission expires: December 14, 2007

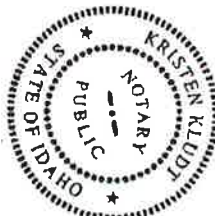


EXHIBIT "A"

Township 3 South, Range 15 East Boise Meridian, Gooding County, Idaho

Section 13: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 14: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 23: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 26: NW $\frac{1}{4}$

AFFIDAVIT

May 24, 2005

IN THE MATTER OF:

Legal Description:

Township 3 South, Range 15 east Boise Meridian, Gooding County, State of Idaho

Section 14: SE 1/4 SE 1/4

Section 23: N 1/2 NE 1/4, SE 1/4 NW 1/4, SW 1/4 NE 1/4, E 1/2 SW 1/4, SW 1/4 SW 1/4, NW 1/4 SE 1/4

Section 26: NW 1/4

Section 13: SW 1/4 SW 1/4

RDK

~~RO~~GER D. KINNEY BEING FIRST DULY SWORN, DEPOSES AND SAYS:

Forrest Kinney, my father purchased the above referenced property in April 1945. There was a well on the property at the time of purchase (see the attached map for well location). The well was improved and a pump installed during the time that my father and later my brother, Victor Kinney owned the ranch. The date of these improvements was approximately in 1946. This well was used for irrigation purposes.

Roger D. Kinney P.R.
Roger D. Kinney

AFFIDAVIT

IN THE MATTER OF:

GWIN RANCH

Legal Description:

Township 3 South, Range 15 East Boise Meridian, Gooding County, State of Idaho

Section 14: SE 1/4 SE 1/4

Section 23: N 1/2 NE 1/4, SE 1/4 NW 1/4, SW 1/4 NE 1/4, E 1/2 SW 1/4, SW 1/4 SW 1/4, NW 1/4 SE 1/4

Section 26: NW 1/4

Section 13: SW 1/4 SW 1/4

SHERRY G. KINNEY BEING FIRST DULY SWORN, DEPOSES AND SAYS:

Forrest Kinney purchased the above referenced property in April, 1945. My husband, Victor Kinney began farming the property in 1952. The property was crop irrigated through a number of ditches. This system was already in place when the property was purchased. The water was supplied by Thorn Creek Reservoir and a number of springs located on the property. The location of are highlighted on the attached map. Approximately 325 acres are irrigated.

We, Victor and Sherry Kinney purchased the ranch from May Kinney, a widow, in November, 1978. We have maintained and used all of the water from Thorn Creek and the various springs located on the property for the purpose of crop irrigation since that time.


(SIGNATURE)

SUBSCRIBED AND SWORN TO OR BEFORE ME THIS 6th DAY OF August, 1997.


(NOTARY PUBLIC)

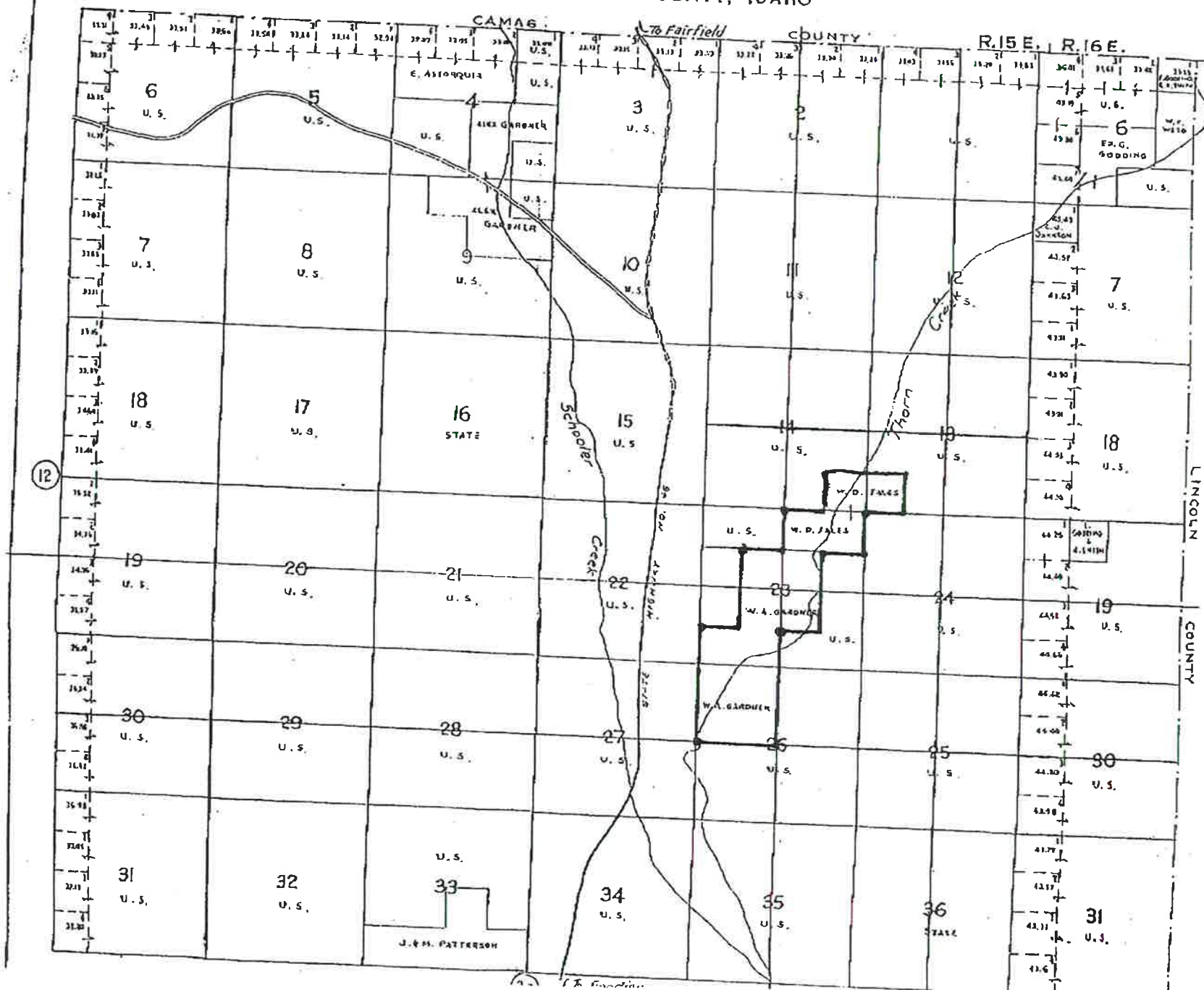
RESIDING AT Jerome

MY COMMISSION EXPIRES 12-27-97

FOR SALE BY
CHAS. F. NETSKER
111 SOUTH 10TH ST., TACOMA, WASHINGTON
1020 THIRD AVE., SEATTLE, WASHINGTON

TOWNSHIP 3 S., RANGE 15 E. B. M. GOODING COUNTY, IDAHO

PAGE



BCT
BLAINE COUNTY TITLE

September 20, 2006

IDWR Southern Region
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380

Re: Order 6014812

RECEIVED
SEP 22 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Kraatz/Colgate

Dear Ladies & Gentlemen:

In connection with the above referenced order, please find attached the following documents:

- Recorded Quitclaim Deed.
- Notice of Change of Water Right Ownership.

If you should have any questions, please do not hesitate to contact the undersigned.

Sincerely,

BLAINE COUNTY TITLE



Kristen Kludt
Escrow Officer

kk

Attachment(s)

RECEIVED
JUL 14 2003
Department of Water Resources
Bureau of Water Management

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

ORIGINAL

Ident. Number 37-19846
Date Received: 2/3/1998
Receipt No: S020863
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RICHARD KRAATZ
PO BOX 599
GOODING ID USA 83330-0599

Phone: (208)727-1248

2. Date of Priority: 05/04/1901

3. Source: THORN CREEK

Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03S	15E	23	NW SE SW	GOODING	
03S	15E	14	NE SE SE	GOODING	
03S	15E	23	SW NW SE	GOODING	

5. Description of diverting works:

COLLECTION DITCH, DITCHES TO FIELD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/01	2.29	

7. Total Quantity Appropriated is:
2.29 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
----------	-------	---------	----------------	-----	-------

03S	15E	14	SE	SE	IRRIGATION	3
					Section Acres	3
03S	15E	23	NE	NE	IRRIGATION	2
			NW	NE	IRRIGATION	2
			SW	NE	IRRIGATION	0.5
			SE	NW	IRRIGATION	7
			NE	SW	IRRIGATION	35
			SW	SW	IRRIGATION	20
			SE	SE	IRRIGATION	12
					Section Acres	78.5
03S	15E	26	NW	NW	IRRIGATION	27
			SW	NW	IRRIGATION	6
					Section Acres	33
					Total Acres	114.5

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:

Claim amended to change priority date to May 4, 1901 per new deed information.

THERE MAY BE SOME ACRES IN SECTION 23, NWSW, THAT HAVE HISTORICALLY BEEN IRRIGATED BUT APPEAR TO BE ON BLM LANDS.

ACTUAL POU CAN BE CONFIRMED AT THE TIME OF SRBA EXAM FOR THIS CLAIM. EST. 8 ACRES.

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: _____

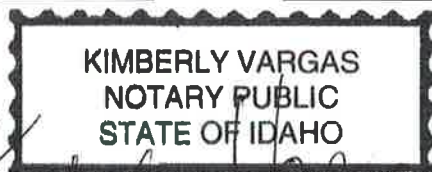
For Individuals:

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

Signature of Claimant(s): *[Signature]* Date: 7/9/03
_____ Date: _____

State of Idaho }
County of Gooding } SS.

Subscribed and sworn (or affirmed) before me this
of July 9th 2003



[Signature]
Notary Public

Residing at 645 main St. Gooding, ID 83330
My commission Expires 6/09

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: **A37-19846**

Date Received: 2/ 3/1998

Receipt No: S020863

Received By: SC

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

1. Name: RICHARD KRAATZ 208-726-5357
Address: PO BOX 144
KETCHUM ID 83340

2. Date of Priority: JUN 30, 1952

3. Source: THORN CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	15E	14	NE	SE	SE		GOODING
		23	NW	SE	SW		GOODING
			SW	NW	SE		GOODING

5. Description of diverting works:
COLLECTION DITCH, DITCHES TO FIELD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/01	2.290		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03S	15E	14	SE	SE		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
		23	NE	NE	IRR	2.0
			NW	NE	IRR	2.0
			SW	NE	IRR	0.5
			SE	NW	IRR	7.0
			NE	SW	IRR	35.0
			SW	SW	IRR	20.0
			SE	SE	IRR	12.0
					Section Acres	78.5
		26	NW	NW	IRR	27.0
			SW	NW	IRR	6.0
					Section Acres	33.0
					Total Acres	114.5

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:

THERE MAY BE SOME ACRES IN SECTION 23, NWSW, THAT HAVE HISTORICALLY BEEN IRRIGATED BUT APPEAR TO BE ON BLM LANDS. ACTUAL POU CAN BE CONFIRMED AT THE TIME OF SRBA EXAM FOR THIS CLAIM. EST. 8 ACRES.

15. Basis of Claim: BENEFICIAL USE

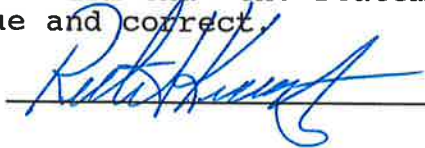
16. Signature(s)

(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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals:

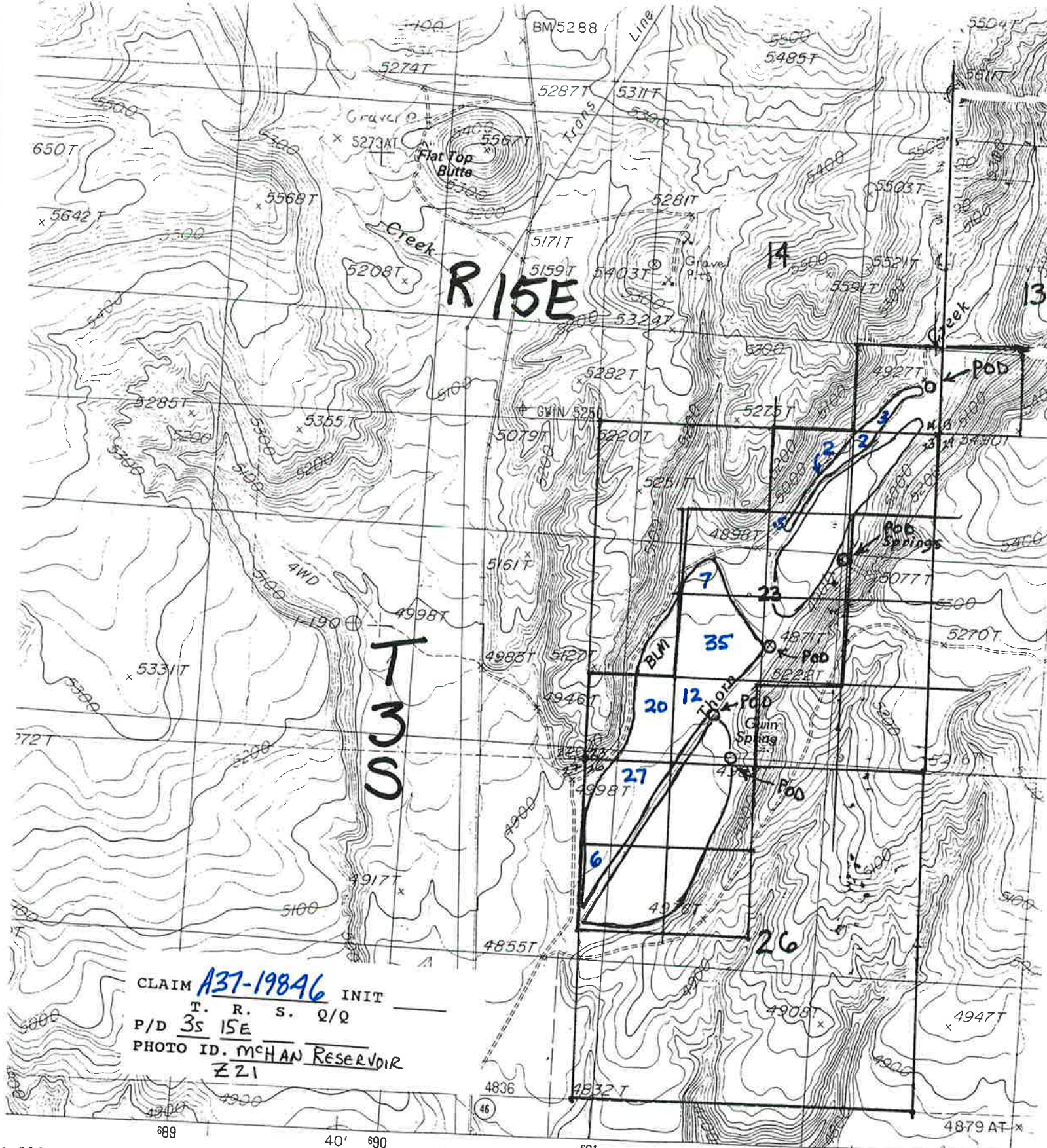
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):  Date: 2/3/98
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 3RD day
of February 19 98 
Notary Public
Seal

Residing at Twin Falls ID
My Commission Expires 12/7/2000



1	2	3	1 Fairfield
			2 Spring Creek Reservoir
			3 Macon
			4 Mt Grove Mountain

AFFIDAVIT

IN THE MATTER OF:

GWIN RANCH

Legal Description:

Township 3 South, Range 15 East Boise Meridian, Gooding County, State of Idaho

Section 14: SE 1/4 SE 1/4

Section 23: N 1/2 NE 1/4, SE 1/4 NW 1/4, SW 1/4 NE 1/4, E 1/2 SW 1/4, SW 1/4 SW 1/4, NW 1/4 SE 1/4

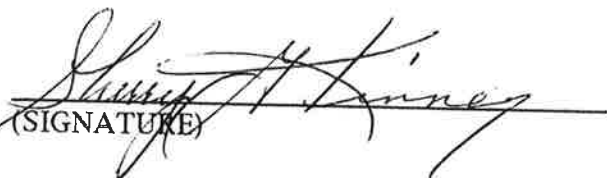
Section 26: NW 1/4

Section 13: SW 1/4 SW 1/4

SHERRY G. KINNEY BEING FIRST DULY SWORN, DEPOSES AND SAYS:

Forrest Kinney purchased the above referenced property in April, 1945. My husband, Victor Kinney began farming the property in 1952. The property was crop irrigated through a number of ditches. This system was already in place when the property was purchased. The water was supplied by Thorn Creek Reservoir and a number of springs located on the property. The location of are highlighted on the attached map. Approximately 325 acres are irrigated.

We, Victor and Sherry Kinney purchased the ranch from May Kinney, a widow, in November, 1978. We have maintained and used all of the water from Thorn Creek and the various springs located on the property for the purpose of crop irrigation since that time.


(SIGNATURE)

SUBSCRIBED AND SWORN TO OR BEFORE ME THIS 6th DAY OF August, 1997.


(NOTARY PUBLIC)

RESIDING AT Jerome

MY COMMISSION EXPIRES 12-27-97

ORIGINAL IN RED

Claimant Name:

John K. Colgate Jr.

Attorney Name & Address:

**James P. Speck, ISB#2067
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 83340
(208) 726-4421
FAX: (208) 726-0752**

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

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NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

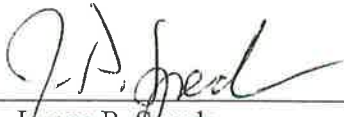
This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water rights identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, John K. Colgate Jr. for the following water right which is not yet the subject of subcase: 37-19846.

DATED this 17 day of November, 2006.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 17 day of November, 2006, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

Chief, Natural Resources Division
Office of the Attorney General, State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

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

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

10/12/2006

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

RIGHT NUMBER: 37-19846

NAME AND ADDRESS: JOHN K COLGATE JR
295 MILL HILL RD
MILL NECK NY 11765

SOURCE: THORN CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 2.290 CFS

PRIORITY DATE: 05/04/1901

POINT OF DIVERSION:

T03S R15E S14 NESESE Within GOODING County

T03S R15E S23 NWSESW Within GOODING County

T03S R15E S23 SWNWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

2.290 CFS

PLACE OF USE:

IRRIGATION Within GOODING County

T03S R15E S14	SESE	3.80	T03S R15E S23	NENE	2.30
T03S R15E S23	NWNE	3.10	T03S R15E S23	SWNE	0.60
T03S R15E S23	SENE	6.80	T03S R15E S23	NESW	33.00
T03S R15E S23	SWSW	17.00	T03S R15E S23	SESW	15.00
T03S R15E S23	NWSE	0.10	T03S R15E S26	NENW	0.20
T03S R15E S26	NWNW	24.00	T03S R15E S26	SWNW	8.60

114.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 114.5 acres in a single irrigation season. Combined Right Nos.: 37-19846 and 37-21149.

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: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

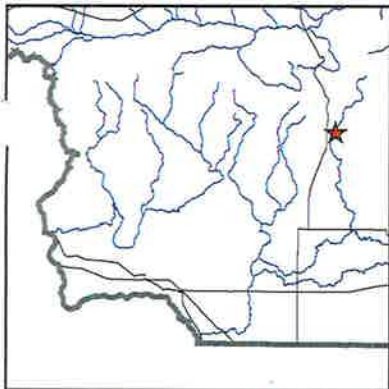
SRBA Recommendation:

37-19846

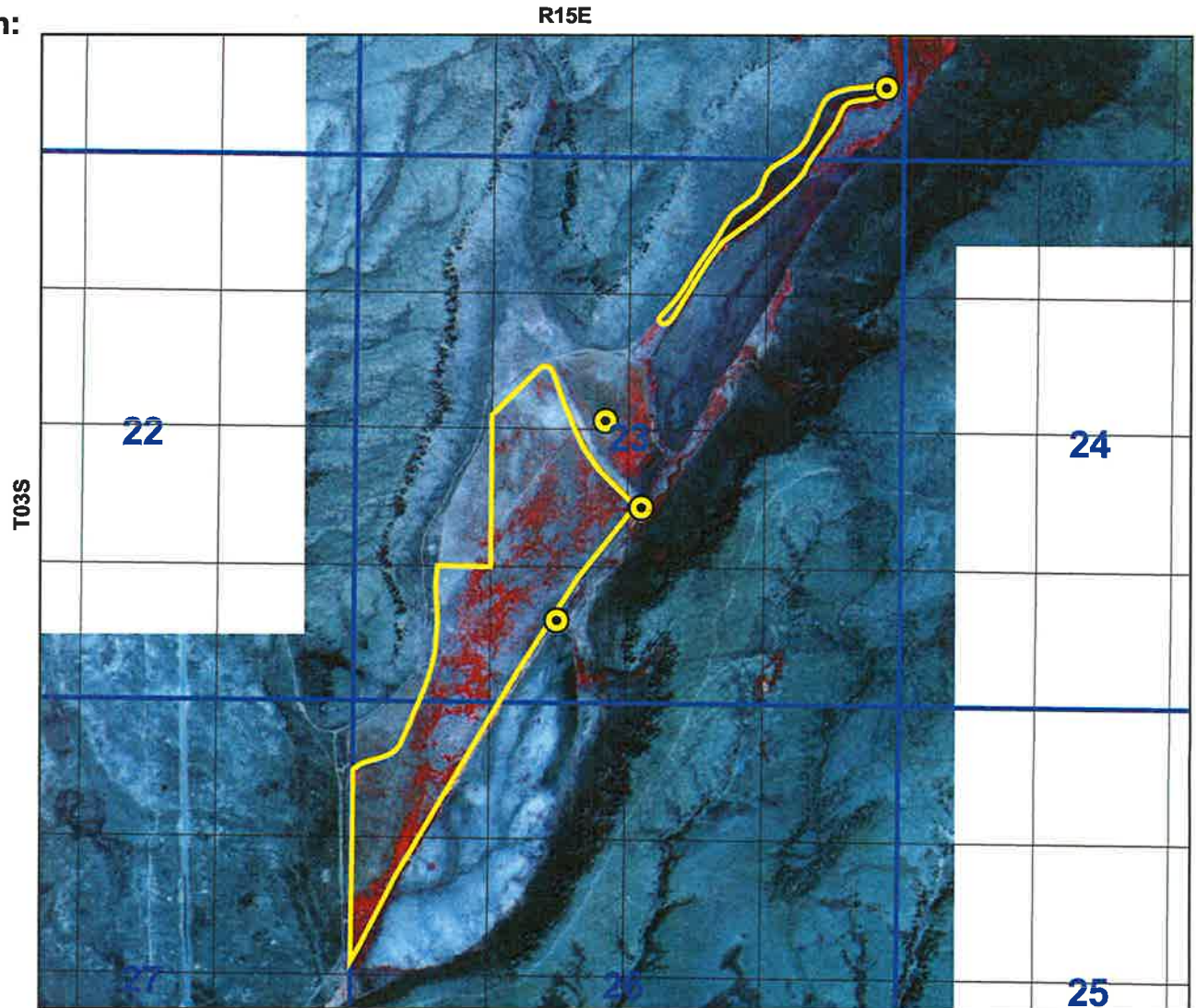
37-21149

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Gooding County
IDWR Basin 37



0 0.25 0.5 Miles



Prepared by M. Anders
On Thursday, October 12, 2006
1987/88 Aerial Photography



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

April 15, 2005

X
X
X
X

Re: Evidence of Priority

RESPONSE DEADLINE
JUNE 17, 2005

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice 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. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water 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 the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of 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: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-_____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures

Gwin Springs Ranch

P.O. Box 599
Gooding, Idaho 83330



Department of Water Resources
1341 Fillmore St Suite 200
Twin Falls, ID 83301

Att. ~~43701 83330~~ *Janice Robinson*