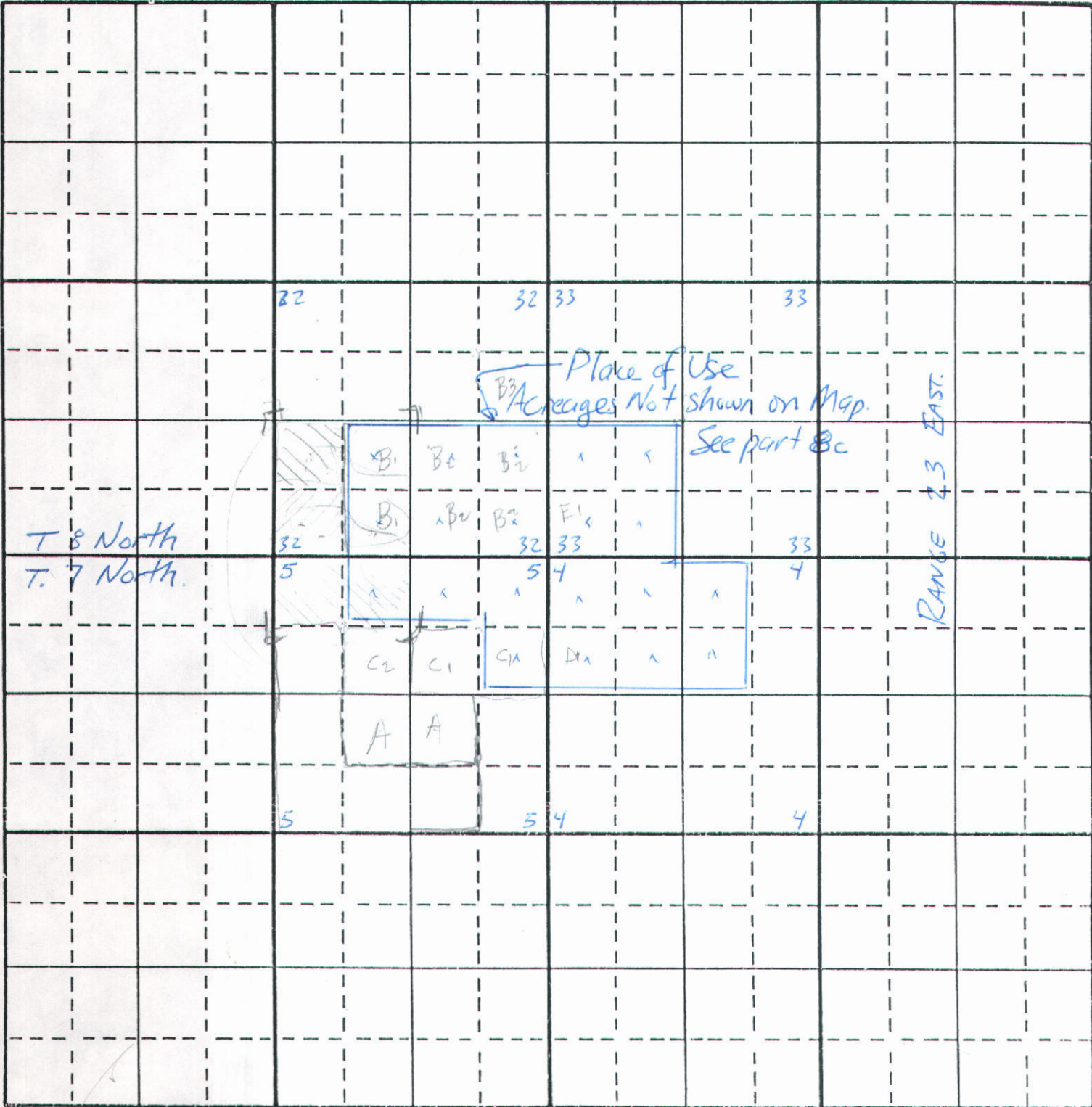


c. Describe the land or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	2E	32				1					31			33	18	10.5	32.5	32.5	158.5
8N	2E	33									4	14	33	9.5					60.5
7N	2E	4		8	11.5		37.5	24.5	1	6									88.5
7N	2E	5	27	28		12	15												82.0

Total number of acres to be irrigated 389.5

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

62.63

Account Name ID Department Water Resources - Eastern Region			Account Number #100564	
Address 150 Shoup - Suite 15		City/State Idaho Falls, ID		Zip 83402
Ordered By Michele Davis	P.O. Number	Rate ntæ	Run Dates 1987 Mar, 5, 12	
Identification Change of Water Right - Marvin Goodard			Estimated Inches	Real Inches
1 Number of Affidavits Requested				Legal Number #4640

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 34-0812/0813/0815/0816/0817

Notice is hereby given that Marvin Goodard, Mackay, Idaho, has applied to the Department of Water Resources for clarification in the point of diversion and place of use of water from Big Lost River, tributary to Sinks. The rights sought to be changed are evidenced by Decree No. 34-0812, 34-0813, 34-0815, 34-0816, & the part of 34-0817 remaining after transfer No. 406, decreed to W.L. Wattis, in case of Utah Construction Co. vs. John F. Abbott, et al., dated 10/21/1925 in Eastern Division District Court, and is recorded as follows:

34-0812
AMOUNT: 3.20 cfs
PRIORITY: 4/7/1886

34-0813
AMOUNT: 3.2 cfs
PRIORITY: 3/30/1896

34-0815
AMOUNT: 3.3 cfs
PRIORITY: 4/20/1887

34-0816
AMOUNT: 2.8 cfs
PRIORITY: 7/31/1901

34-0817
AMOUNT: 2.40 cfs
PRIORITY: 3/1/1902

The point of diversion for the above rights is on lands constituting the place of use.

The water is used to irrigate lands remaining after transfer No. 406 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 32, SW $\frac{1}{4}$, Sec. 33, T. 8N R. 23E; NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 4, T. 7N, R. 23E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, (Big Lost River), NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, (Parsons Creek), SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, (Haystack Creek), SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, (Haystack Creek), Sec. 32, T. 8N, R. 23E, B.M., Custer County, for the irrigation of 389.5 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 32, SW $\frac{1}{4}$, Sec. 33, T. 8N, R. 23E, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 4, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 7N, R. 23E.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402, on or before March 23, 1987.

A. KENNETH DUNN
Director

Pub. Mar. 5, 12, 1987

4640

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

RECEIVED
MAR 13 1987

Department of Water Resources
Eastern District Office

Deborah Gregory

, being duly

sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for Two (2) ☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of March 5, 19 87

and ending with the issue of March 12, 19 87

Deborah Gregory

Subscribed and sworn to before me this 12th

day of March, 19 87

MICROFILMED

DEC 15 1992

Connie Blackburn 8/92

Notary Public for Idaho, Residing at Boise, Idaho

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks

Publisher of the Challis Messenger,
a weekly newspaper, published at
Challis, Idaho, do solemnly swear
that the notice hereto attached and
made a part hereof, was published
in the regular and entire issue of
the Challis Messenger for 2

consecutive weeks, commencing with
the issue dated March 5

1987 and ending with the issued
dated March 12 1987

Margaret Parks

Subscribed and sworn to before
me this 23rd day of March

1987
Edith M. Beck

Notary Public, residing at Challis,
Idaho. My commission expires on

3-21-92

MICROFILMED

DEC 15 1992

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 34-0812/0813/0815/
0816/0817

Notice is hereby given that
Marvin Goddard, Mackay, Idaho,
has applied to the Department of
Water Resources for clarification
in the point of diversion and place of
use of water from Big Lost River,
tributary to Sinks. The rights
sought to be changed are evidenced
by Decree No. 34-0812, 34-0813, 34-
0815, 34-0816, & the part of 34-0817
remaining after transfer no. 406,
decreed to W.L. Wattis, in case of
Utah Construction Co. vs John F.
Abbott, et. al. dated 10/21/1925 in
Eastern Division District Court,
and is recorded as follows:

34-0812
AMOUNT: 3.20 cfs PRIORITY:
4/7/1886.

34-0813
AMOUNT: 3.2 cfs PRIORITY:
3/30/1896.

34-0815
AMOUNT: 3.3 cfs PRIORITY:
4/20/1887.

34-0816
AMOUNT: 2.8 cfs PRIORITY:

7/31/1901.

34-0817

AMOUNT: 2.40 cfs PRIORITY:
3/1/1902.

The point of diversion for the
above rights is on lands constituting
the place of use.

The water is used to irrigate
lands remaining after transfer No.
406 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$, Sec. 32, SW $\frac{1}{4}$, Sec. 33, T. 8N
R. 23E; NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$
SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, N $\frac{1}{2}$,
N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 4, T. 7N R.
23E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within
the SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, (Big Lost
River), NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, (Parsons
Creek), SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, (Hay-
stack Creek), SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$,
(Haystack Creek), Sec. 32, T. 8N,
23E, B.M. Custer County, for the
irrigation of 389.5 acres within the
SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 32,
SW $\frac{1}{4}$, Sec. 33, T. 8N, R. 23E,
W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 4, N $\frac{1}{2}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T.
7N, R. 23E.

Any protest against approval of
the above proposed change of water

right must be filed with the Idaho
Department of Water Resources,
150 Shoup Ave., Suite 15, Idaho
Falls, Idaho 83402 on or before
March 23, 1987.

A. Kenneth Dunn
Director

Published March 5 & 12, 1987.

RECEIVED

MAR 24 1987

Department of Water Resources
Eastern District Office

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 031287 INVOICE No. L00099993

Account No. 44660 IN. DAVIS

Description 99993NOTIC

Times 2 Lines 68

Tab Lines

LEGAL ADVERTISING INVOICE

SOLD TO: STATE OF IDAHO
DEPT. OF WATER RESOURCES
150 SHOUP AVE. SUITE 15
IDAHO FALLS
ID 83402

\$ 59.50

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

99993
**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**
NO. 34-0812/0813/0815/0816/0817
Notice is hereby given that Mar-
vin Goddard, Mackay, Idaho, has
applied to the Department of Water
Resources for clarification in the
point of diversion and place of use of
water from Big Lost River, tributary
to Sinks. The rights sought to be
changed are evidenced by Decree
No. 34-0812, 34-0813, 34-0815, 34-0816,
& the part of 34-0817 remaining after
transfer no. 406, decreed to W. L.

Wattis, in case of Utah Construction
Co. vs John F. Abbott, et. al. dated
10/21/1925 in Eastern Division Dis-
trict Court, and is recorded as fol-
lows:

34-0812
AMOUNT: 3.20 cfs PRIORI-
TY: 4/7/1886
34-0813
AMOUNT: 3.2 cfs PRIORI-
TY: 3/30/1896
34-0815
AMOUNT: 3.3 cfs PRIORI-
TY: 4/20/1887
34-0816
AMOUNT: 2.8 cfs PRIORI-
TY: 7/31/1901
34-0817
AMOUNT: 2.40 cfs PRIORI-
TY: 3/1/1902

The point of diversion for the above
rights is on lands constituting the
place of use.

The water is used to irrigate lands
remaining after transfer No. 406
within the SE1/4NE1/4, E1/2SW1/4,
SE1/4, Sec. 32, SW1/4, Sec. 33, T. 8N
R. 23E; NE1/4, E1/2NW1/4,
NE1/4SW1/4, NW1/4SE1/4, Sec 5,
N1/2, N1/2SW1/4, N1/2SE1/4, Sec 4, T.
7N. R.23E, B.M.

TO BE CHANGED AS FOLLOWS
The water will be diverted within the
SE1/4SW1/4NE1/4, (Big Lost River),
NW1/4NW1/4SW1/4, (Parsons Creek),
SE1/4SW1/4SW1/4, (Haystack
Creek), SW1/4SE1/4SW1/4, (Hays-
tack Creek), Sec. 32, T. 8N, R. 23E,
B.M. Custer County, for the irriga-
tion of 389.5 acres within the
SE1/4NE1/4, E1/2SW1/4, SE1/4, Sec.
32, SW1/4, Sec. 33, T. 8N, R. 23E,
W1/2NE1/4, NW1/4, Sec. 4,
N1/2NE1/4, SE1/4NE1/4, NE1/4NW1/4,
Sec. 5, T. 7N, R. 23E.

Any protest against approval of the
above proposed change of water
right must be filed with the Idaho
Department of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before March 23,
1987.

A. Kenneth Dunn
Director

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss. MAR 25 1987

County of Nez Perce

Department of Water Resources
Eastern District Office

J. L. Blackwell

, being duly sworn,

deposes and says, I am the Legal Clerk

of the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
LEWISTON MORNING TRIBUNE, a newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly and issued regularly at least once a day for more than 21 consecutive
years next immediately preceding the first publication of this notice, and
has been so published uninterrupted for said period; that the

NOTICE OF PROPOSED/34-0834

attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 030587, or once a

WEEK for 2 consecutive WEEKS, the first
publication thereof being on the 030587, and the last pub-
lication thereof being on the 031287, and said

NOTICE OF PROPOSED/34-0834

was so published in the regular and entire issue of said newspaper and
not in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
set forth above.

J. L. Blackwell

SUBSCRIBED AND SWORN BEFORE ME THIS THE 19

day of March 1987

Keral M. Lentz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

MICROFILMED

DEC 15 1992

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT

NO. 34-0834

34-0812/etc

Notice is hereby given that Marvin Goddard, Mackay, Idaho has applied to the Department of Water Resources for clarification in the point of diversion and place of use of water from Big Lost River, tributary to Sinks. The rights sought to be changed are evidenced by Decree No. 34-0812, 34-0813, 34-0815, 34-0816, & the part of 34-0817 remaining after transfer no. 406, decreed to W. L. Wattis, in case of Utah Construction Co. vs John F. Abbott, et. al. dated 10/21/1925 in Eastern Division District Court, and is recorded as follows:

34-0812
AMOUNT: 3.20 cfs
PRIORITY: 4/7/1886
34-0813
AMOUNT: 3.2 cfs
PRIORITY: 3/30/1896
34-0815
AMOUNT: 3.3 cfs
PRIORITY: 4/20/1887
34-0816
AMOUNT: 2.8 cfs
PRIORITY: 7/31/1901
34-0817
AMOUNT: 2.40 cfs
PRIORITY: 3/1/1902

The point of diversion for the above rights is on lands constituting the place of use.

The water is used to irrigate lands remaining after transfer No. 406 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 32, SW $\frac{1}{4}$, Sec. 33, T. 8N, R. 23E; NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 4, T. 7N, R. 23E, B.M.

TO BE CHANGED
AS FOLLOWS

The water will be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, (Big Lost River), NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, (Parsons Creek), SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, (Haystack Creek), SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, (Haystack Creek), Sec. 32, T. 8N, R. 23E, B.M. Custer County, for the irrigation of 389.5 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 32, SW $\frac{1}{4}$, Sec. 33, T. 8N, R. 23E, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 4, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 7N, R. 23E.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before March 23, 1987.

A. Kenneth Dunn
Director
PUBLISH: Thursday,
March 5 and 12, 1987.

Affidavit of Publication

STATE OF IDAHO.

COUNTY OF TWIN FALLS

ss.

I, Belinda J. Capps

oath, depose and say that I am Printer of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two

consecutive weeks, commencing with the issue dated March 5, 19 87, and ending with the issue dated March 12, 19 87.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this

March

, 19 87.

day of

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

MICROFILMED

DEC 15 1992

RECEIVED

NO. 17205
MAR 18 1987

Department of Water Resources
being first duly sworn upon
Eastern District Office

W. L. Wattis

(a) ✓ 1888-June 1 3.2 c.f.s. ✓
✓ 1881-June 30 3.5 c.f.s. ✓
✓ T. 3304-1886-April 7 3.2 c.f.s. ✓
✓ T. 3304-1896-March 30 3.2 c.f.s. ✓
✓ 1896-June 1 3.2 c.f.s. ✓
✓ T. 3304-1887-April 20 3.3 c.f.s. ✓
✓ T. 3304-1901-July 31 2.8 c.f.s. ✓
Trans. P.O. ✓ 1902-March 1 3.2 c.f.s. ✓
✓ 1880-June 30 3.2 c.f.s. ✓
✓ 1896-June 1 3.2 c.f.s. ✓

2.016 cfs - 6-30-80
1.071 " 6-30-81
2.016 " 6-1-88
2.016 " 6-1-96
2.016 " 6-1-96
0.505 " 3-1-02
Trans No. 406
37% Loss

Re transfer #382 to Big Lost River Dist. Lands

54-0963

34 0963

(C) 1907-June 10

2.0 c.f.s.

34 0820

(b) ✓ 1879-April 1 0.6 c.f.s.

✓ 1904-December 22

1.6 c.f.s.

34 0821

No. 504.

(See Amendment)
Page 230

Chas. E. Watson

(Successor in interest
to J.W. Nations)

✓ 1896-June 1 0.32 c.f.s.

34 0822

No. 505.

To be diverted from Big Lost River through private ditches having their points of diversion on the land constituting the point of use of said water, for the irrigation the following described land, to-wit:

Southeast quarter of the Northeast quarter Southeast quarter, West half of the Southwest quarter of Section 32; Southwest quarter of Section 33, Township 8 North, Range 23 East, B.M.; Northeast quarter, West half of the Northwest quarter, Northeast quarter of the Southwest quarter, Northwest quarter of the Southeast quarter of Section 5; North half, North half South half, Section 4; West half of the Northwest quarter, Southeast quarter of the Northwest quarter, North half of the Southwest quarter, North half of the Southeast quarter and Southeast quarter of the Southeast quarter of Section 3; South half of the Southwest quarter, Southwest quarter of the Southeast quarter of Section 2; North half of Section West half of the Northwest quarter; Southeast quarter of the Northwest quarter and the Northeast quarter of the Southwest quarter of Section 12, all in Township North, Range 23 East, B.M., and

To be diverted through Navarre Creek at its point of diversion in the Southwest quarter of Section 5, Township 7 North, Range 23 East, B.M., for the irrigation of the land last above described.

To be diverted from Big Lost River through the Moore Canal having its point of diversion in the Southeast quarter of Section 4, Township 5 North, Range 26 East, B. M., for the irrigation of the following described land, to-wit:

Beginning at a point 351.7 feet South 612.3 feet East from the Northwest corner of Section 28, Township 5 North, Range 26 East, B.M., thence East 43.0 rods; thence South 59.5 rods; thence West 43.02 rods; thence North 59.5 rods to place of beginning, containing 16 acres more or less.

MICROFILMED
Refilmed
DEC 15 1992

MICROFILMED
FEB 07 1992

IN EQUITY NO. 222

DECREE

IN THE UNITED STATES DISTRICT COURT, IN
AND FOR THE DISTRICT OF IDAHO, EASTERN
DIVISION

THE UTAH CONSTRUCTION COMPANY, a corporation, Plaintiff,

vs.

John F. Abbott, William Adams, A. P. Adair, Esther L. Adair (successor in interest of A. P. Adair, Eugene A. Ahern, Andreas Aikele (or A. Aiken), Calvin S. Allen, Frank A. Alleh, Gladys Allen, L. C. Allen, Richard Roe Alson, George L. Ambrose, Charles B. Anderson, Francis G. Anderson (or Francis C. Anderson, F. Gus Anderson (or F. G. Anderson or Gus Anderson,) H. W. Anderson, Hyrum Anderson, James E. Anderson, Jas. Earl Anderson, J. L. Anderson, James P. Anderson, Josephine Anderson, J. Wesley Anderson, Jos. W. Anderson (or J. W. Anderson), N. A. Anderson, Niels R. Anderson, Peter C. Anderson (or P. C. Anderson), S. W. Anderson, W. W. Anderson, Louis Andreason (or Lewis Andreson), H. W. Angelo (or Wallace Angelo), Frank Anthony, Marie L. Anthony, Arco Townsite Company, an unincorporated Association; Eleazer Asay, Ernest W. Asay, Emma M. Ashton, Margaretta S. Askew, Anna Atha (or Annie Atha), Ivan J. Atwood, J. H. Augustine.

Mrs. Hannah Babcock (or Mrs. Albern Babcock, A. Rowley Babcock (or R. Babcock), William Babcock (now deceased), Jacob F. Baird, Bank of Nyssa, an Oregon Banking corporation; John L. Bardsley, Josie Bardsley, Jerome K. Bartlett (or J. K. Bartlett), A. H. Bascom, E. W. Bascom, Pete Basick, Harlow Bassett (or H. Bassett), Clara M. Bate, J. M. Bate (or Joseph M. Bate), Ralph Bate, E. J. Bates, Leslie Bates, Erin Beal (or Aron Beal) or C. Beal, Eldon E. Beck; J. W. Beck and John Doe (or John Pingree) and Richard Roe (or F. S. Lack,) as statutory trustees of Beck Land/Livestock Company, a defunct Idaho Corporation; William Beck, Beck Land and Livestock Company, an Idaho corporation; A. W. Bell, Lee Bell, John C. Bell, J. L. Bell, George Bennett (or George Bennetts), James Bennetts, F. S. Bernard, John Bernard (successor in part to New World Life Insurance Company); Gus Bertsch, Agnes T. Best (or Agnes Best), Harold C. Best (or Harold Best), Alexander Beverland, Francis Beverland (successor in interest of James Beverland), George Beverland, Effie Beverland (or Mrs. George Beverland), James Beverland, as executor of the estate of Charles Beverland, deceased; James Beverland, Joana Beverland, Henry Bews (or Harry Bews), Peter Bidegain, Lota C. Billings, Elizabeth Bills, John L. Bills, Norman Bills, Ole Bills, Albert F. Bischoff (or A. F. Bischoff), Lewis A. Bitton (or John Doe Britton), Zina Bitton (or Zina Britton), B. Bjornson (or B. Bjornsen), Blackfoot City National Bank, an Idaho Banking corporation (successor in interest to Heber G. Johnson); Charles H. Black, Mary E. Black, Nils S. Bladh (successor in interest of Ole Bills), John L. Blosser (or John L. Blasser), Henry Blattner, Lulu E. Bliss, Phillip R. Bliss, Arthur L. Bodine, John J. Bodine, Oscar Bodine, William T. Bodine, Joseph A. Boillin, Rhoda Boling, Rachael Boone, Wm. A. Boone, David S. Boyack (or D. Boycock or David D. Boycock, Jr.), Sylvanus Boyack (or S. Boycock), Mary E. Boyd, Robert G. Boyd (successor in interest of Charles H. Rampton), I. W. Boyer, Elizabeth Bradshaw (now deceased), George Bradshaw, John Bradshaw, Pearl Bradshaw, William Bradshaw, William Bradshaw, as administrator of the estate of Elizabeth Bradshaw, deceased (substituted for Elizabeth Bradshaw deceased); Francis Braithwaite, R. F. Braithwaite (or Robert Braithwaite), William F. Braithwaite, H. C. Brake, William H. Brashear, H. T. Brengman, Charles Brown, Edna Brown, Edna E. Brown, as executrix of the estate of Martin W. Brown, deceased (substituted for

FEB 07 1992

DEC 15 1992

February 27, 1987

Marvin Goddard
Star Route
Mackay, Idaho 83251

RE: Transfer Application no. 34-0812/0813/0815/0816/0817

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your Transfer application. Please refer to the application number above in all further correspondence.

This office is currently in the process of advertising the application in the Challis Messenger, Lewiston Tribune, Times News & Idaho Statesman. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact his office if you have any questions regarding this procedure.

Sincerely,

Ernest Carlsen
Assistant Regional Manager

EC/md

MICROFILMED

DEC 15 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 26, 1987

Times News
P. O. Box 548
Twin Falls, Idaho 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 23, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

MICROFILMED

DEC 15 1992

Off. Rec'd

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 26, 1987

Lewiston Morning Tribune
505 "C" Street
Lewiston, Idaho 83501

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 23, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

RECEIVED

DEC 15 1992

Rec'd

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 26, 1987

The Idaho Statesman
P. O. Box 40
Boise, Idaho 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 23, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

AK feed
MICROFILMED

DEC 15 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 26, 1987

Custer County Publishing Co.
P. O. Box 405
Challis, Idaho 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 23, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

MICROFILMED

DEC 15 1992

Asst. Rec'd

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 3304 OF WATER RIGHTS)
34-0812/0813/0815/0816/0817/0963) ORDER
IN THE NAME OF MARVIN GODDARD)
_____)

This matter having come before the Idaho Department of Water Resources (department) as a result of the review of pending applications for transfer and review of Snake River Adjudication claims filed in the Big Lost River Drainage, the department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On February 10, 1987, Marvin Goddard (applicant) filed Application for Transfer No. 3304 (application) with the department in connection with water rights 34-0812, 34-0813, 34-0815, 34-0816, 34-0817, and 34-0963.

2. On February 23, 1987, the application was protested by Bar Donna Zollinger.

3. A review of the Snake River Adjudication claim(s) filed in connection with the above captioned water right(s) shows that the points of diversion shown on the application do not agree with the point(s) of diversion claimed in the later in time document(s), the adjudication claim(s).

4. The adjudication claim(s) have been filed pursuant to Section 42-1416A, Idaho Code, as if the change(s) proposed on the pending application can be approved and decreed without the necessity of filing for a change as provided in Sections 42-108 and 42-222, Idaho Code.

5. On September 24, 1990, the department corresponded with the applicant to determine continued interest of the applicant and requested appropriate information from the applicant to justify separate consideration of the application from the more recently filed Snake River Adjudication claim(s).

6. The applicant has not responded to the department and has not shown any reason why the application should be considered separately from the adjudication claim(s).

CONCLUSIONS OF LAW

1. Section 42-1416A, Idaho Code, provides in part that:

(1) If any person entitled to the use of water has made a change in point of diversion, place of use, period of use or nature of use of all or a part of the water, including a

RECEIVED

FEB 07 1992

DEC 15 1991
replied

change as part of an exchange as defined in section 42-105, Idaho Code, prior to the entry of an order commencing a general adjudication pursuant to section 42-1408, Idaho Code, and the person entitled to the use of water has not complied with the requirements of sections 42-108 and 42-222, Idaho Code, regarding such changes, the following shall apply:

(a) the water right may be claimed in the general adjudication as changed and an application for change of the water right is not required to be filed pursuant to section 42-222, Idaho Code, and

(b) the water right may be determined by the director in the director's report pursuant to section 42-1411, Idaho Code, and decreed by the district court pursuant to section 42-1412, Idaho Code, as changed, if the change meets the substantive criteria of section 42-222, Idaho Code, for approval of such changes, provided that the change may be approved subject to conditions necessary to satisfy the substantive criteria of section 42-222, Idaho Code, for approval of such changes.

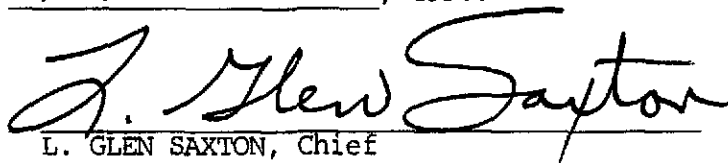
2. The department should set aside Application for Transfer No. 3304 and should consider the change(s) proposed in the application which have been claimed in the related adjudication claim(s) as being combined with and included in the review and recommendation of the adjudication claim(s) in the Director's report as required by Section 42-1411, Idaho Code.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Application for Transfer No. 3304 in connection with water rights 34-0812, 34-0813, 34-0814, 34-0815, 34-0816, 34-0817 and 34-0963 is set aside and will not be separately considered by the department.

IT IS FURTHER, HEREBY ORDERED, that the change(s) proposed in the application for transfer which have been claimed on the related Snake River Adjudication claim(s) be included in and considered by the department in the Director's report required by Section 42-1411, Idaho Code.

Dated this 13th day of November, 1990.


L. GLEN SAXTON, Chief
Water Allocation Bureau

FEB 07 1992

refined

Idaho Falls, Idaho
Feb. 13-1987

Water Resource Department of Interior:

I Bar Donna Zellingher protest the transfer of water rights referring to 34-0812 Reason for Proposed point of diversion will cause a menace to present property owner. Also cause a hindrance to present irrigation and operation of hay ground of present land owner.

Bar Donna Zellingher
Star Route
Mackay, Idaho 83251

RECEIVED
FEB 13 1987

Department of Water Resources
Eastern District Office

RECEIVED

FEB 15 1992

Transfer No. 3304

Water Right No. _____

Page 1 of 9

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Marvin Goddard Phone 588-2664
Post Office address Star Route, Mackay, Idaho 83251

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 34-0812 Decreed to W. L. Wattis
(Name)
in case of Utah Construction Co. vs John F. Abbott, et al
dated in 10-21-1925 in District Court county of Eastern Division
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Applicant acquired land by purchase

3. Source of water Big Lost River tributary to Sinks

4. Date of priority April 7, 1886

5. Water is used for the following purposes:

amount 3.2 cfs for Irrigation purposes from 5/1 to 10/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 3.2 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is _____ ¼ of _____ ¼ of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any "Point of diversion is on the lands constituting the place of use."

8. Lands irrigated or place of use: Remaining after transfer no. 406.

TWP.	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	23E	32				X					X			X	X	X	X	X	
		33									X	X	X	X					
7N	23E	5	X	X	X	X	X			X	X					X			
		4	X	X	X	X	X	X	X	X	X	X			X	X			

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above 34-0813/
0815/0816/0817.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No. If yes, describe in item D, REMARKS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Marvin Goddard Phone 588-2664Post Office address Star Route, Mackay, Idaho 83251**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

- a. Decree No. 34-0813 Decreed to W. L. Wattis (Name)
in case of Utah Construction Co. vs John F. Abbott, et. al.
dated in 10-21-1925 in District Court county of Eastern Division
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Applicant acquired land by purchase3. Source of water Big Lost River tributary to Sinks4. Date of priority March 30, 1896**5. Water is used for the following purposes:**

amount 3.2 cfs for irrigation purposes from 5/1 to 10/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 3.2 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is _____ % of _____ % of Section _____

Township _____ Range _____, B M., in _____ County

Additional points of diversion, if any "Point of diversion is on the lands constituting the place of use."8. Lands irrigated or place of use: Remaining after transfer no. 406

TWP.	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
8N	23E	32				X					X			X	X	X	X	X	
		33									X	X	X	X					
7N	23E	5	X	X	X	X	X			X	X					X			
		4	X	X	X	X	X	X	X	X	X	X			X	X			

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above 34-0812/0815/
0816/0817

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Marvin Goddard Phone 588-2664Post Office address Star Route, Mackay, Idaho 83251**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

- a. Decree No. 34-0815 Decreed to W. L. Wattis
in case of Utah Construction Co. vs John F. Abbott, et. al.
dated in 10-21-1925 in District Court county of Eastern Division
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Applicant acquired land by purchase**3. Source of water** Big Lost River tributary to Sinks**4. Date of priority** April 20, 1887**5. Water is used for the following purposes:**

amount 3.3cfs for Irrigation purposes from 5/1 to 10/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 3.3 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is _____ % of _____ % of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any "Point of Diversion is on the lands constituting the place of use."

8. Lands irrigated or place of use: Remaining after transfer No. 406.

TWP.	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
8N	23E	32				X					X			X	X	X	X	X	
		33									X	X	X	X					
7N	23E	5	X	X	X	X	X			X	X					X			
		4	X	X	X	X	X	X	X	X	X	X		X	X				

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above 34-0812/0813/0816/0817

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant _____ Phone _____

Post Office address _____

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

- a. Decree No. 34-0816 Decreed to W. L. Wattis
in case of Utah Construction Co. vs John F. Abbott, et. al.
dated in 10-21-1925 in District Court county of Eastern Division
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Applicant acquired land by purchase

3. Source of water Big Lost River tributary to Sinks

4. Date of priority July 31, 1901

5. Water is used for the following purposes:

amount 2.80 for irrigation purposes from 5/1 to 10/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.8 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is _____ % of _____ % of Section _____

Township _____ Range _____, B M., in _____ County

Additional points of diversion, if any "Points of diversion on the lands
constituting the place of use."

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	23E	32				X					X			X	X	X	X	X	
		33									X	X	X	X					
7N	23E	5	X	X	X	X	X			X	X					X			
		4	X	X	X	X	X	X	X	X	X	X			X	X			

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above 34-0812/0813/
0815/0817

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____. If yes, describe in item D, REMARKS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant _____ Phone _____

Post Office address _____

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: That portion of 34-0817 remaining after transfer no. 406.
- a. Decree No. 34-0817 Decreed to W. L. Wattis
in case of Utah Construction Co. vs ^(Name) John F. Abbott, et. al.
dated in 10-21-1925 in District Court county of Eastern Division
(Name of court)
- b. License No. _____ Issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Applicant acquired
land by purchase
3. Source of water Big Lost River tributary to Sinks
4. Date of priority March 1, 1902
5. Water is used for the following purposes:
amount 2.40 for irrigation purposes from 5/1 to 10/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)
6. Total amount of water under right: a. 2.40 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is _____ ¼ of _____ ¼ of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any "Points of diversion are on the lands
constituting the place of use."
8. Lands irrigated or place of use: Remaining after transfer No. 406.

[illegible]

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above 34-0812/0813/0815/0816
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water. a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 14.9 cfs &/or _____ acre feet
- b. Description of diverting works Open gravity flow ditches transport water to place of use. All lands are flood irrigated.
- c. Describe the reasons for the proposed changes The application does not represent a change in the location of our diversions. The diversions are those we have historically used since purchasing the ranch. Our intent is to make the locations of our diversion points a matter of record.

2. Change in point of diversion

Big Lost River

Point of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32 Township 8N
Range 23E, B.M., Custer County
Additional points NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, T. 8N, R. 23E Parsons Creek
SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, T. 8N R. 23E Haystack Creek
SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 8N, R. 23E Haystack Creek

3. Change in place of use

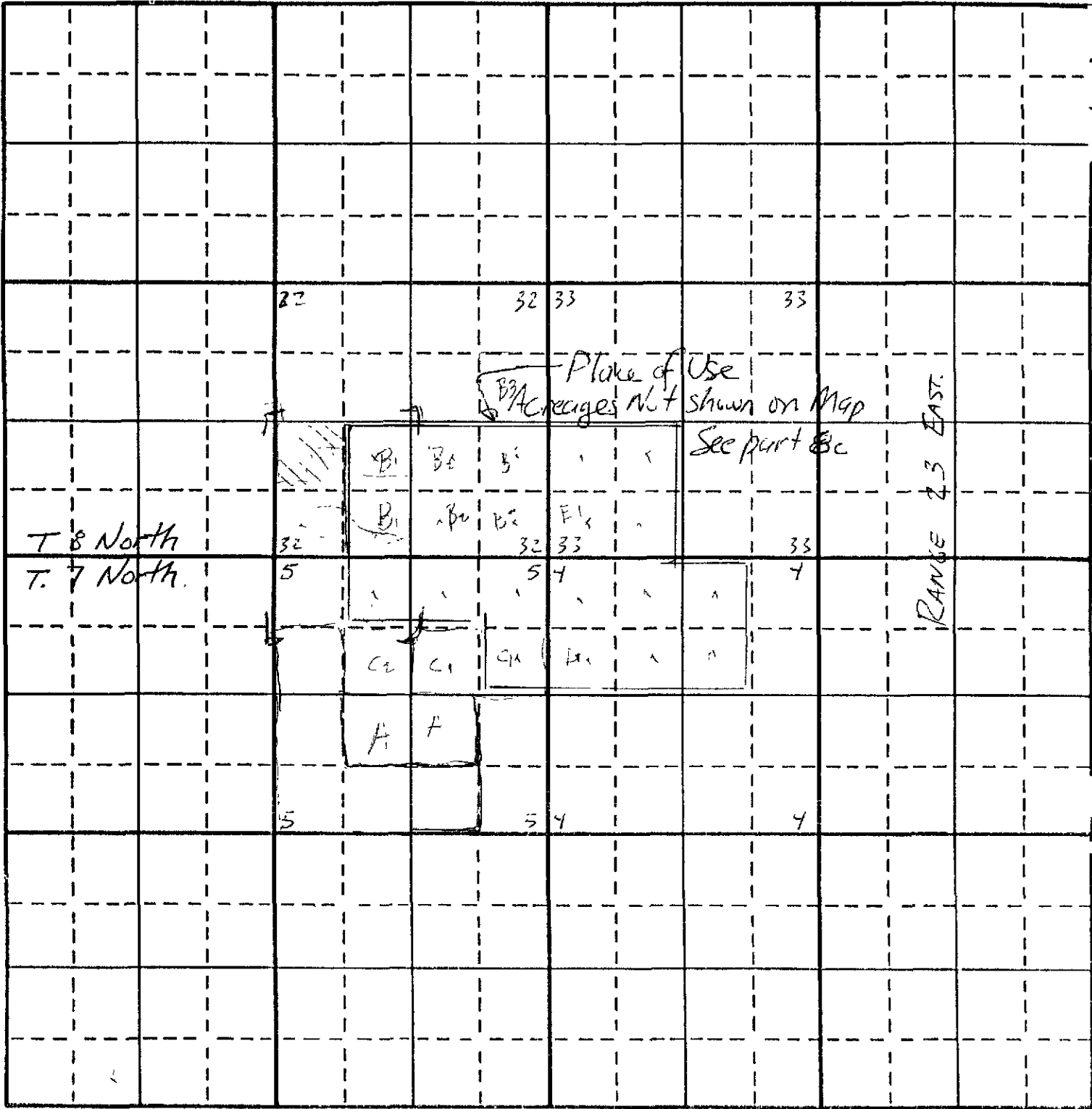
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
There is no change in place of use being proposed by this application. The lands identified are those historically irrigated. Our intent is to make their description a matter of record.

c. Describe the land or place of use to which the right will be transferred:

TWP	RANGE	SEC	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
8N	2E	32				1					31			33	18	10.5	32.5	32.5	158.5
8N	2E	33									4	14	33	9.5					60.5
7N	2E	4		8	11.5		37.5	24.5	1	6									88.5
7N	2E	5	27	23		12	15												82.0

Total number of acres to be irrigated 389.5

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



D REMARKS

See attached sheet for remarks

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 11th day of February, 1987
Marvin Goldard
(Signature of Applicant)
Colleen Wray
(Notary Public)

My commission expires 5/29/1991

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No _____ and said application is hereby _____, subject to the following limitations and conditions

Witness my hand this _____ day of _____, 19____

FOR DEPARTMENT USE ONLY

Received by SM Date 2-10-1987 Protest filed by Bar Donna Zollinger
Prelim. check by _____ Fee \$50.00
Received by MM Date 2-10-87
Published in EMERSON NEWS LEWISTON TRIB. Copies of protest forwarded by CW
CUSTER PUB CO. IDAHO STATESMAN
Pub. dates 3-5 + 3-12-87 Hearing held by _____ Date _____
Watermaster recommendation requested on 5-5-87 Recommended for _____ approval _____ denial _____
WD#34 rec'd 3-19-87 by _____

REMARKS:

Though the source of water for the rights listed on this transfer was decreed as the Big Lost River, historically two other streams which flow through the ranch have also been relied on to provide irrigation water. These streams known as Haystack Creek & Parsons Creek are both recognized as tributaries of the Big Lost River, though they actually flow into Mackay Reservoir. There are two diversions on Haystack Creek located in the SW1/4SW1/4, SE1/4SW1/4, Sec. 32, T. 8N, R. 23E. Water diverted at these locations irrigates land in the NE1/4NW1/4, NW1/4NW1/4, Sec. 5, T. 7N, R. 23E, north of Warm Springs Creek and the S1/2SE1/4SW1/4 and SW1/4SW1/4SE1/4, Sec. 32, T. 8N, R. 23E. Water diverted from Parsons Creek in the NW1/4SW1/4, Sec. 32, T. 8N, R. 23E, irrigates land in the NE1/4SW1/4, N1/2SE1/4SW1/4, NW1/4SW1/4SE1/4, Sec. 32, T. 8N, R. 23E. All of this property was included in the decreed place of use and to our knowledge has always been irrigated. But the irrigation water had to have been diverted from Parsons and Haystack Creeks since these creeks act as a natural barrier to conveying irrigation water from the Big Lost River on to the land described above.

The remaining lands reflected on the application have been irrigated with water strictly from the Big Lost River.

Robert N. Savage
Custer County Assessor
P.O. Box 597
Challis, Idaho 83226

THIS IS NOT A BILL

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
4 MEADOW	237.000 AC	41,000
5 DRY GRAZING	57.000 AC	1,396
19 WASTE	3.330 AC	

TAXPAYERS 1986
VALUATION ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 15, 1986
See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

TOTALS 297.330

42,656 WACKAY, ID 83251

Mail To:

SAR 12 RANCH LTD PARTNERSHIP
X GODDARD, MARVIN K

LOTS 3,4
TRACTS 700,713,1332
SW4NW4
SEC 4 T7N R23E

PROPERTY ADDRESS

PARCEL NO. RP 07N23E040001 A TAX CODE 45-00

RECEIVED
FEB 07 1992

RECEIVED
DEC 15 1992

refined

THIS IS NOT A BILL

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
4 MEADOW	241.000 AC	41,753
5 DRY GRAZING	19.000 AC	532
19 WASTE	20.000 AC	

**TAXPAYERS 1986
VALUATION ASSESSMENT NOTICE**

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 15, 1986
See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

TOTALS 280.000

42,285 MACKAY, ID 83251

Mail To:

**BAR 13 RANCH LTD PARTNERSHIP
% GODDARD, MARVIN K
MACKAY, ID 83251**

**E2SW4, SE4, SE4NE4
SEC 32 T8N R23E**

PROPERTY ADDRESS

PARCEL NO. RP 03N23E321801 A TAX CODE 45-00

Robert N. Savage
Custer County Assessor
P.O. Box 597
Challis, Idaho 83226

879-2325

THIS IS NOT A BILL

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
4 MEADOW	72.000 AC	12,474
5 DRY GRAZING	65.000 AC	1,820
19 WASTE	18.740 AC	

**TAXPAYERS 1986
VALUATION ASSESSMENT NOTICE**

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 15, 1986
See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

TOTALS 155.740

14,294 MACKAY, ID 83251

Mail To:

**BAR 13 RANCH LTD PARTNERSHIP
% GODDARD, MARVIN K
MACKAY, ID 83251**

**SW4SW4
TRACT 472
SEC 33 T3N R23E**

PROPERTY ADDRESS

PARCEL NO. RP 03N23E334801 A TAX CODE 45-00

DEC 15 1982

refiled
FEB 07 1992

THIS IS NOT A BILL

HOMEDOWNED EXEMPT

24,644

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	67.000 AC	15,823
4 MEADOW	152.100 AC	26,351
5 DRY GRAZING	36.000 AC	1,008
10 RURAL HOMESITE	1.000 AC	2,400
19 WASTE	2.000 AC	
31 RURAL RES BLDG		49,287
31 RURAL RES BLDG		19,278
31 RURAL RES BLDG		12,851
32 RURAL IMP ON AG		9,071
46 MOBILE HOME		6,205
58 MACH & EQUIP		37,133
TOTALS	258.100	179,412

**TAXPAYERS 1986
VALUATION ASSESSMENT NOTICE**

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 15, 1986

See the reverse side for further references

KEEP THIS COPY FOR YOUR RECORDS

Mail To:

BAR 13 RANCH LTD PARTNERSHIP
% GODDARD, MARVIN K
MACKAY, ID 83251

NEW / NW NE
LOTS 1, 2, 3 - NEW
S2NE4, SE4NW4
SEC 5 T7N R23E

PROPERTY ADDRESS

PARCEL NO. RP 07N23E050001 A TAX CODE 45-00

Robert N. Savage
Custer County Assessor
P.O. Box 597
Challis, Idaho 83226

THIS IS NOT A BILL

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	54.000 AC	12,753
5 DRY GRAZING	24.000 AC	672
19 WASTE	2.000 AC	
TOTALS	80.000	13,430

**TAXPAYERS 1986
VALUATION ASSESSMENT NOTICE**

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 15, 1986

See the reverse side for further references

KEEP THIS COPY FOR YOUR RECORDS

Mail To:

BAR 13 RANCH LTD PARTNERSHIP
% GODDARD, MARVIN K
MACKAY, ID 83251

NW4SE4, NE4S4
SEC 5 T7N R23E

PROPERTY ADDRESS

PARCEL NO. RP 07N23E054001 A TAX CODE 43-00

FEB 07 1992

DEC 15 1992
refiled

P.O. BOX 40, BOISE, IDAHO 83707

Amount Due

67.63

Number of Affidavits Requested

RECEIVED
MAR 13 1987

MAR 13 1987

Department of Water Resources
Eastern District Office

Deborah Gregory, being duly

sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for Two (2) ☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of March 5, 19 87
and ending with the issue of March 12, 19 87

Selurah Gregory

Subscribed and sworn to before me this 12th

day of March, 19 87

DEC 5 1962

 Connie Blackburn 8/92
 Notary Public for Idaho, Residing at Boise, Idaho

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer ss

I, Margaret Parks

Publisher of the Challis Messenger
a weekly newspaper published at
Challis, Idaho, do solemnly swear
that the notice hereto attached and
made a part hereof, was published
in the regular and entire issue of
the Challis Messenger for 2

consecutive weeks commencing with
the issue dated March 5
1987 and ending with the issue
dated March 12 1987

Margaret Parks

Subscribed and sworn to before
me this 23rd day of March
1987

Edith M. Beck

Notary Public residing at Challis,
Idaho My commission expires on

3-21-92

RECEIVED

DEC 15 1992

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 34-0812/0813/0815/
0816/0817

Notice is hereby given that
Marvin Goddard, Mackay, Idaho,
has applied to the Department of
Water Resources for clarification
in the point of diversion and place of
use of water from Big Lost River,
tributary to Sinks. The rights
sought to be changed are evidenced
by Decree No. 34-0812, 34-0813, 34-
0815, 34-0816, & the part of 34-0817
remaining after transfer no. 406,
decreed to W.L. Wattis, in case of
Utah Construction Co. vs John F.
Abbott, et. al. dated 10/21/1925 in
Eastern Division District Court,
and is recorded as follows:

34-0812
AMOUNT: 3.20 cfs PRIORITY:
4/7/1886.

34-0813
AMOUNT: 3.2 cfs PRIORITY:
3/30/1896.

34-0815
AMOUNT: 3.3 cfs PRIORITY:
4/20/1887.

34-0816
AMOUNT: 2.8 cfs PRIORITY:

7/31/1901.

34-0817

AMOUNT: 2.40 cfs PRIORITY:
3/1/1902.

The point of diversion for the
above rights is on lands constituting
the place of use.

The water is used to irrigate
lands remaining after transfer No.
406 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$, Sec. 32, SW $\frac{1}{4}$, Sec. 33, T. 8N
R. 23E; NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$
SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, N $\frac{1}{2}$,
N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 4, T. 7N R.
23E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within
the SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, (Big Lost
River), NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, (Parsons
Creek), SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, (Hay-
stack Creek), SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$,
(Haystack Creek), Sec. 32, T. 8N,
R. 23E, B.M. Custer County, for the
irrigation of 389.5 acres within the
SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 32,
SW $\frac{1}{4}$, Sec. 33, T. 8N, R. 23E,
W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 4, N $\frac{1}{2}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T.
7N, R. 23E.

And against approval of
the above proposed change of water

right must be filed with the Idaho
Department of Water Resources,
150 Shoup Ave., Suite 15, Idaho
Falls, Idaho 83402 on or before
March 23, 1987.

A. Kenneth Dunn
Director

Published March 5 & 12, 1987.

RECEIVED
MAR 24 1987

Department of Water Resources
Eastern District Office

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 031287 INVOICE No. LD0099977

Account No. 44607 THE DAVIS

Description 99003NOTIC

Times 1 Lines 55

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO: STATE OF IDAHO
DEPT. OF WATER RESOURCES
150 SHOUP AVE. SUITE 15
IDAHO FALLS
ID 83401

\$ 59.50

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss. MAR 25 1987
County of Nez Perce

Department of Water Resources
Edw. J. ...

J. L. Blackwell, being duly sworn,

deposes and says, I am the Legal Clerk
of the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
LEWISTON MORNING TRIBUNE, a newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly and issued regularly at least once a day for more than 21 consecutive
years next immediately preceding the first publication of this notice, and
has been so published uninterrupted for said period; that the

NOTICE OF PROPOSED/34-0834

attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 1 time(s). Publication be-
ing on 030587, or once a

WEEK for 5 consecutive WEEKS, the first
publication thereof being on the 030587, and the last pub-
lication thereof being on the 031287, and said

NOTICE OF PROPOSED/34-0834

was so published in the regular and entire issue of said newspaper and
not in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
set forth above

J. L. Blackwell

SUBSCRIBED AND SWORN BEFORE ME THIS THE 19
day of March 1987

Keral M. Lentz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

DEC 15 1992

2/etc

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

55

1. Belinda J. Capra

oath, depose and say that I am Quince
published daily, at Twin Falls, Idaho, and
the notice of advertisement, as per clipping a
entire issue of said newspaper, and not in any su
consecutive weeks

March ... 5 ... 1
March ... 12 ... 1

And I do further certify that said newspaper
1942, of the Idaho Evening Times, published the
Falls News, published theretofore daily except a
consolidation had been published under said nam
uninterruptedly during a period of more than tw
NEWS, since such consolidation has been publi
until July 31, 1978, at which time said newspap
in said city and county continuously and uninterr

And I further certify that pursuant to Sectio
has been designated as the day on which legal no
petent jurisdiction within the state of Idaho, to
that at the head of the editorial column of said co
of, Thursday is announced as the day on which sa

Belinda J. Capra
Subscribed and sworn to before me on the

March ...
Quince

Notary Pu
State of I

DEC 15 1992

W. L. Wattis

(a) ✓ 1888-June 1 33.2 c.f.s. ✓
✓ 1881-June 30 13.5 c.f.s. ✓
✓ T. 3304-1886-April 7 33.2 c.f.s. ✓
✓ T. 3304-1896-March 30 33.2 c.f.s. ✓
✓ 1896-June 1 33.2 c.f.s. ✓
✓ T. 3304-1887-April 20 33.3 c.f.s. ✓
✓ T. 3304-1901-July 31 2.8 c.f.s. ✓
Trans. 3304-1902-March 21 33.2 c.f.s. ✓
Trans. 3304-1880-June 30 33.2 c.f.s. ✓
✓ 1896-June 30 33.2 c.f.s. ✓
2.016 cfs - 6-30-80 }
1.071 " 6-30-81 }
2.016 " 6-1-82 } Trans No. 406
2.016 " 6-1-96 } 37% Loss
2.016 " 6-1-96 }
6.505 " 3-1-02 }

Re transfer #382 to Big Lost River Dist Lands

34-0962
(c) 1907-June 10 34 0863 ✓
2.016 c.f.s. - W

34 0820 ✓
(b) ✓ 1879-April 1 0.6 c.f.s. ✓
✓ 1904-December 22 1.6 c.f.s. ✓
34 0821 ✓
No. 504. (See Amendment)
Page 230

Chas. E. Watson

(Successor in interest
to J.W. Nations)

✓ 1896-June 1 0.32 c.f.s. ✓
34 0822 ✓

No. 505.

To be diverted from Big Lost River through private ditches having their points of diversion on the land constituting the point of use of said water, for the irrigation the following described land, to-wit:

Southeast quarter of the Northeast quarter Southeast quarter, West half of the Southwest quarter of Section 32; Southwest quarter of Section 33, Township 8 North, Range 23 East, B.M.; Northeast quarter, West half of the Northwest quarter, Northeast quarter of the Southwest quarter, Northwest quarter of the Southeast quarter of Section 5; North half, North half South half, Section 4; West half of the Northwest quarter, Southeast quarter of the Northwest quarter, North half of the Southwest quarter North half of the Southeast quarter and Southeast quarter of the Southeast quarter Section 3; South half of the Southwest quarter, Southwest quarter of the Southeast quarter of Section 2; North half of Section West half of the Northwest quarter; Southeast quarter of the Northwest quarter and the Northeast quarter of the Southwest quarter of Section 12, all in Township North, Range 23 East, B.M., and

To be diverted through Navarre Creek to its point of diversion in the Southwest quarter of Section 5, Township 7 North, Range 23 East, B.M., for the irrigation of the land last above described.

To be diverted from Big Lost River through the Moore Canal having its point of diversion in the Southeast quarter Section 4, Township 5 North, Range 26 East, B. M., for the irrigation of the following described land, to-wit:

Beginning at a point 351.7 feet South 612.3 feet East from the Northwest corner of Section 28, Township 5 North, Range 26 East, B.M., thence East 43.0 rods; thence South 59.5 rods; thence West 43.02 rods; thence North 59.5 rods to place of beginning, containing 16 or more or less.

MICROFILMED
Refilmed
DEC 15 1992

MICROFILMED
FEB 07 1992

IN EQUITY NO. 222

DECREE

IN THE UNITED STATES DISTRICT COURT, IN

AND FOR THE DISTRICT OF IDAHO, EASTERN

DIVISION

THE UTAH CONSTRUCTION COMPANY, a corporation, Plaintiff,

vs.

John F. Abbott, William Adams, A. P. Adair, Esther L. Adair (successor in interest of A. P. Adair, Eugene A. Ahern, Andreas Aikele (or A. Aiken), Calvin S. Allen, Frank A. Allen, Gladys Allen, L. C. Allen, Richard Roe Alson, George L. Ambrose, Charles B. Anderson, Francis G. Anderson (or Francis C. Anderson, F. Gus Anderson (or F. G. Anderson or Gus Anderson,) H. W. Anderson, Hyrum Anderson, James E. Anderson, Jas. Earl Anderson, J. L. Anderson, James P. Anderson, Josephine Anderson, J. Wesley Anderson, Jos. W. Anderson (or J. W. Anderson), N. A. Anderson, Niels R. Anderson, Peter C. Anderson (or P. C. Anderson), S. W. Anderson, W. W. Anderson, Louis Andreason (or Lewis Andreason), H. W. Angelo (or Wallace Angelo), Frank Anthony, Marie L. Anthony, Arco Townsite Company, an unincorporated Association; Eleazer Asay, Ernest W. Asay, Emma M. Ashton, Margaretta S. Askew, Anna Atha (or Annie Atha), Ivan J. Atwood, J. H. Augustine.

Mrs. Hannah Babcock (or Mrs. Albern Babcock, A. Rowley Babcock (or R. Babcock), William Babcock (now deceased), Jacob F. Baird, Bank of Nyssa, an Oregon Banking corporation; John L. Bardsley, Josie Bardsley, Jerome K. Bartlett (or J. K. Bartlett), A. H. Bascom, E. W. Bascom, Pete Basick, Harlow Bassett (or H. Bassett), Clara M. Bate, J. M. Bate (or Joseph M. Bate), Ralph Bate, E. J. Bates, Leslie Bates, Erin Beal (or Aron Beal) or C. Beal, Eldon E. Beck; J. W. Beck and John Doe (or John Pingree) and Richard Roe (or F. S. Lack,) as statutory trustees of Beck Land/Livestock Company, a defunct Idaho Corporation; William Beck, Beck Land and Livestock Company, an Idaho corporation; A. W. Bell, Lee Bell, John C. Bell, J. L. Bell, George Bennett (or George Bennetts), James Bennetts, F. S. Bernard, John Bernard (successor in part to New World Life Insurance Company); Gus Bertsch, Agnes T. Best (or Agnes Best), Harold C. Best (or Harold Best), Alexander Beverland, Francis Beverland (successor in interest of James Beverland), George Beverland, Effie Beverland (or Mrs. George Beverland), James Beverland, as executor of the estate of Charles Beverland, deceased; James Beverland, Joana Beverland, Henry Bews (or Harry Bews), Peter Bidegain, Lota C. Billings, Elizabeth Bills, John L. Bills, Norman Bills, Ole Bills, Albert F. Bischoff (or A. F. Bischoff), Lewis A. Bitton (or John Doe Britton), Zina Bitton (or Zina Britton), B. Bjornson (or B. Bjornsen), Blackfoot City National Bank, an Idaho Banking corporation (successor in interest to Haber G. Johnson); Charles H. Black, Mary E. Black, Nils S. Bladh (successor in interest of Ole Bills), John L. Blosser (or John L. Blasser), Henry Blattner, Lulu E. Bliss, Phillip R. Bliss, Arthur L. Bodine, John J. Bodine, Oscar Bodine, William T. Bodine, Joseph A. Boillin, Rhoda Boling, Rachael Boone, Wm. A. Boone, David S. Boyack (or D. Boycock or David D. Boycock, Jr.), Sylvanus Boyack (or S. Boycock), Mary E. Boyd, Robert G. Boyd (successor in interest of Charles H. Rampton), I. W. Boyer, Elizabeth Bradshaw (now deceased), George Bradshaw, John Bradshaw, Pearl Bradshaw, William Bradshaw, William Bradshaw, as administrator of the estate of Elizabeth Bradshaw, deceased (substituted for Elizabeth Bradshaw deceased); Francis Braithwaite, R. F. Braithwaite (or Robert Braithwaite), William F. Braithwaite, H. C. Drake, William H. Brashear, H. T. Brengman, Charles Brown, Edna Brown, Edna E. Brown, as executrix of the estate of Martin W. Brown, deceased (substituted for

- 2 FEB 07 1932

Refiled
FEB 15 1932



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 15, 1990

Melvin Goddard
Star Route
Mackay, ID 83251

Dear Mr. Goddard:

RE: Application for Transfer No. 3304 of Water Right Nos.
34-0812/0813/0815/0816/0817/0963

Enclosed is a copy of the Order which sets aside the above
referenced Application for Transfer.

If you have any questions regarding this matter, please feel free to
contact this office.

Sincerely,

L. Glen Saxton
L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosure

c: IDWR - Eastern Region
Kent Foster
Ray Rigby

MISS REFILED
FEB 07 1992

DEC 15 1992
refiled

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: A34-00812
Date Received: 12/12/1989
Receipt No: M005364
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARVIN GODDARD 208-588-2664
Address: STAR ROUTE
MACKAY, ID 83251

AND/OR
Name: HILDA GODDARD 208-588-2664
Address: STAR ROUTE
MACKAY, ID 83251

2. Date of Priority: APR 07, 1886

3. Source: BIG LOST RIVER Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	22E	3	SW	SW	NW	I	CUSTER
	23E	32	SE	SW	NE		CUSTER
			NW	NW	SW	R	CUSTER

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/15	3.200		

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

8. Total consumptive use is 1100.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres		
07N	23E	4	NE		NW		IRR	25.0		
			NW		NW		IRR	30.0		
			NE		SW		IRR	5.0		
			NW		SW		IRR	10.0		
					Section Acres			70.0		
		5	NE		NE		IRR	10.0		
			NW		NE		IRR	8.0		
			SW		NE		IRR	20.0		
			SE		NE		IRR	8.0		
			SE		NW		IRR	30.0		
			NE		SW		IRR	38.0		
			NE		SE		IRR	3.0		
			NW		SE		IRR	18.0		
					Section Acres			135.0		
		08N	23E	32	NE		SW		IRR	40.0
					SE		SW		IRR	20.0
NE					SE		IRR	30.0		
NW					SE		IRR	35.0		
SW					SE		IRR	30.0		
SE					SE		IRR	30.0		
					Section Acres			185.0		
33	SW				SW		IRR	20.0		
	SE				SW		IRR	10.0		
					Section Acres			30.0		
					Total Acres			420.0		

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

A34-813,815,816,817A,820,821. A34-10180, -10181

14. Remarks:

WATER IS DIVERTED FROM THE RIVER WITH A DAM AND HEAD GATE, INTO OPEN DITCHES. ALSO WATER IS REDIVERTED INTO PARSON CREEK AND REDIVERTED WITH A HEAD GATE INTO DITCHES. THERE IS 1 WHEELLINE, 1 PIVOT AND FLOOD IRRIGATION SYSTEMS USED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UTAH CONSTRUCTION CO.

Decree Plaintiff

vs

JOHN F. ABBOTT, ETAL.

Decree 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/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 _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 24, 1990

Marvin Goddard
Star Route
Mackay, ID 83251

Dear Mr. Goddard:

Re: Application for Transfer No. 3304 of water rights
34-0812/0813/0815/0816/0817/0963

NOTICE OF PENDING ORDER TO REJECT
APPLICATION FOR TRANSFER

The department is reviewing the backlog of protested matters to determine which ones are appropriate for hearing or other action. In this review, I came across the above referenced application for transfer which you filed in February 1987. Since the application was protested by Bar Donna Zollinger, the department scheduled a hearing in the matter on October 29, 1987. The hearing was ultimately cancelled at the request of the attorneys involved and has not been rescheduled.

My review of the adjudication claims shows that the claims apparently were filed as if the points of diversion shown on the application for transfer are accomplished points of diversion, i.e. "an accomplished transfer". The discrepancy which I note, however, is that the application for transfer shows the points of diversion as follows:

NWNWSW Section 32, T8N, R23E, BM.
SESWSW Section 32, " " "
SWSESW Section 32, " " "

The adjudication claims show the points of diversion as follows:

SWSWNW Section 3, T8N, R22E, BM
SESWNE Section 32, T8N, R23E, BM
NWNWSW " " " " "

It appears the application for transfer at this point is moot, particularly since it does not agree with the later in time adjudication claims which you filed.

RECORDED

FEB 07 1992

DEC 15 1992

refiled

September 24, 1990

Please advise this office within thirty (30) days of any continued interest with respect to the application for transfer, since the department is trying to update its records to the extent possible. If you wish to pursue the application for transfer, provide appropriate justification. If the department does not receive a response, we will void the application and let the question of the points of diversion be pursued in the adjudication proceeding.

Please feel free to contact the department if you have questions.

Sincerely,



L. GLEN SAXTON, Chief
Water Allocation Bureau

IDWR - E. Region
Kent Foster
Ray Rigby

FILED 9 27 1992

refined

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: ESI

1. Right number 34-0812/0813/0815/0816 Applicant MARVIN GODDARD
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Other Make historical Point of diversion a matter of record and define place of use.
4. Check:
- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion. } incomplete in decree
- c. ☒ Description of original place of use. }
5. Amount of land &/or water transferred:
- a. ☒ All of right.
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- c. ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use.
- ? e. ☐ Check map (shows p.d. and p.u. after transfer).
- ? f. ☐ Check for correct signature, notarization, and fee.
- g. ☒ Check proof of ownership of right &/or land from which water is transferred.
- h. ☒ Check for expansion in use of right. Comments Appears the place of use described in transfer conforms to original decree.
- i. ☒ Check for existing water rights from same source, on land water is being transferred to.
- Right number(s) _____
- j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
- If yes, what district? Dist 34 Big Lost Run.

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 3-5-87 Received on 3-19-87
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☒ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* _____
4. By _____ Date _____

CONVERSATION MEMORANDUM

DATE 23 Oct '87FILE T-34-0812/etc.NAME OF PARTY Kent Foster.T 34-0963EMPLOYEE Ernest Carlson.Goddard.

RE: Mr. Foster called to explain that both he &
Ray Rigby want to cancel the conference set on
the above transfer applications cancelled. Mr. Foster
stated they have made plans to meet Oct 28 and
try to discuss the issues of protest. Mr. Foster
was reasonably certain a stipulation would be
reached allowing for withdrawal of the protest. He
assured me every effort would be made to resolve
the matter without it having to be rescheduled.

MICROFILMED

DEC 15 1992

T 34-0963 & 34-0812/etc.- GODDARD

Second Floor Conference Room, State Office Building
150 Shoup, Idaho Falls, Idaho
Thursday, October 29, 1987 - 1:30 p.m.

ROSTER OF ATTENDANCE

Hearing Officer: _____

<u>Name</u>	<u>Representing</u>	<u>Address</u>
-------------	---------------------	----------------

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	
TRANSFERS NOS. 34-0963 AND 34-0812/	)	NOTICE OF HEARING
0813/0815/0816/0817 IN THE NAME OF	)	&/OR CONFERENCE
MARVIN GODDARD	)	
	)	

On January 14, 1987, Marvin Goddard filed with the Department of Water Resources application No. 34-0963 to transfer the public waters of the State of Idaho. On February 23, 1987, the Department received a protest from Bar Donna Zollinger. On February 10, 1987, an additional transfer No. 34-0812/0813/-0815/0816/0817 was filed by Marvin Goddard and on February 13, 1987, Bar Donna Zollinger protested said application.

The Department has set the matter of protest for hearing for 1:30 p.m., Thursday, October 29, 1987, in the Second Floor Conference Room, State Office Building, 150 Shoup, Idaho Falls, Idaho. The hearing will be held in accordance with provisions of Chapter 2, Title 42, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 5th day of October, 1987.


RONALD D. CARLSON
Eastern Regional Manager

- 4 -

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE \$300

**RETURN
RECEIVED**

OCT 1 1987

(Name of Sender)

(No. and Street, Apt., Suite, P.O. Box or R.D. No.)

(City, State, and ZIP Code)

Department of Water Resources
Eastern District Office

PS Form 3811, July 1983 447-845

SENDER: Complete items 1, 2, 3 and 4

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1 ☐ Show to whom, date and address of delivery.

2 ☐ Restricted Delivery

3. Article Addressed to

Marvin Doddard
Star Route
Mackay Id 83251

4 Type of Service

☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number

0114

Always obtain signature of addressee or agent and
DATE DELIVERED.

5 Signature - Addressee

X *Marvin Doddard*

6. Signature - Agent

X

7. Date of Delivery

10-13-87

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

T 340812, 10/23

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits; otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



RETURN



OCT 1 1987

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES
PENALTY FOR PRIVATE USE, \$300
EASTERN DISTRICT OFFICE
150 GROUPE AVE.
IDAHO FALLS, IDAHO 83401

(Name of Sender)

(No. and Street, Apt., Suite, P.O. Box or R.D. No.)

(City, State, and ZIP Code)

DEC 15 1982

SENDER: Complete items 1, 2, 3 and 4

Put your address in the 'RETURN TO' space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested

- 1 ☐ Show to whom, date and address of delivery.
 2 ☐ Restricted Delivery.

3. Article Addressed to

Kent Foster
 City at Law
 P.O. Box 129
 Idaho Falls, Id 83403

4 Type of Service

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number

0115

Always obtain signature of addressee or agent and
DATE DELIVERED.

5 Signature - Addressee

X

6 Signature - Agent

X

7 Date of Delivery

10-27-87

8 Addressee's Address (ONLY if requested and fee paid)

34-0812/3025

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE \$300

DEPARTMENT OF WATER RESOURCES

Eastern District Office

100 BROAD AVE.

INDIANAPOLIS, INDIANA 46201

RETURN

RECEIVED

0011 1967

(Name of Sender)

(No. and Street, Apt., Suite, P.O. Box or R.D. No.)

(City, State, and ZIP Code)

Department of Water Resources
Eastern District Office

1992

SENDER Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

- 1 ☐ Show to whom, date and address of delivery
 2 ☐ Restricted Delivery.

3 Article Addressed to

Bar Donna Zollinger
 Star Route
 Mackay, ID. 83251

4. Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number

0116

Always obtain signature of addressee or agent and
DATE DELIVERED.

5 Signature - Addressee

X Bar Donna Zollinger

6. Signature - Agent

X

7. Date of Delivery

10/13/87

8. Addressee's Address (ONLY if requested and fee paid)

T 34-0812 / 096 E

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

DEPARTMENT OF WEAPON RESPONSE FOR PRIVATE
USE, \$300

**RETURN
TO**



(Name of Sender)

(No. and Street, Apt., Suite, P.O. Box or R.D. No.)

(City, State, and ZIP Code)

DEC 15 1982

SENDER: Complete items 1, 2, 3 and 4

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt will provide you the name of the person delivered, date of delivery, and additional fees the following are available. Consult postmaster for fees and check box(es) for service(s) requested.

- 1 ☐ Show postmark, date and time of delivery
 2 ☐ Restricted Delivery

3 Article Addressed to

Kay Liguery
 Attorney at Law
 F.O. Box 250
 Leesburg, VA 22083-0250

4 Type of Service

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number

0117

Always obtain signature of addressee or agent and
DATE DELIVERED

5 Signature - Addressee

X

6 Signature - Agent

X

7 Date of Delivery

10-8-87

8 Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

T 24-1812, 1983

NAME AND ADDRESS OF SENDER		DEPARTMENT OF WATER RESOURCES EASTERN DISTRICT OFFICE 150 SHOUR AVE. IDAHO FALLS, IDAHO 83401		Indicate type of mail ☐ Registered ☐ Insured ☐ COD ☒ Certified ☐ Express Mail		Check appropriate block for Registered Mail: ☐ With Postal Insurance ☐ Without Postal Insurance		Affix stamp here if issued as certificate of mailing or for additional copies of this bill.		POSTMARK AND DATE OF RECEIPT				
Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee	Remarks	
1	0100	Openhagen Villa 2441. 200 N. 1st St. Boise	22	75									11-7367	
2	0101	Clude Nelson, P.O. Box 799 Soda											"	
3	0102	Edward & Leila Shepherd P.O. Box 1100											11-7367	
4	0103	City of Chicago, 80 N. Main Chicago											22-7259	
5	0104	Phyllis Peterson, P.O. Box 501 ID.											"	
6	0105	Anna Betty Nelson Rt 1 Box 325 Chicago											"	
7	0106	Joe Kaplan Rt 1 Box 1300 Chicago											"	
8	0107	Mrs. Kay Jones 22610 W. 1st Ave. Chicago											"	
9	0108	Jon R. Jones, 1116 W. 1st St. Chicago											"	
10	0109	Robert & Betty Probst 1500 W. 1st St. Chicago											"	
11	0110	Richard Hoorn, Rt 1, Box 3303											22-7259	
12	0111	Ron & Jay Kammell Box 79 Victor.											T22-4039	
13	0112	Ed Wood P.O. Box 29 ID.											"	
14	0113	Nate Thompson, P.O. Box 10 Lehi											T22-4039	
15	0114	Mavis Maddard Fairbairn											T34-0812 etc	
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for COD and \$400 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.								
15		fifteen		Jones										

NAME AND
ADDRESS
OF SENDER

EASTERN DISTRICT OFFICE

150 SHOUP AVE.

IDAHO FALLS, IDAHO 83401

Indicate type of mail

☐ Registered
☐ Insured
☐ COD
☒ Certified ☐ Express Mail
Check appropriate block for
Registered Mail:
☐ With Postal Insurance
☐ Without Postal Insurance
Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee Remarks
1	0115	Leit. Foster PO Box 129 ID	22	75								734-0812 etc 734-0963
2	0116	Dr. Donna Zelling Hlt. Mackay										"
3	0117	Ray Lighty PO Box 250 Kelburg										"
4												
5												
6												
7												
8		Sent copies also to not certified										
9		Ed Hendricks PO Box 330 Kelburg, Id.										22-7529
10		Wanda Forsgren 350 W 2nd E Kelburg										22-7529
11		Donna Vaughn - Comm. Dept. 108 Statehouse, Boise										22-7529
12		Wang Kasekara										34-0812 etc 34-0963
13												
14												
15												

IDAHO FALLS
 JUN 16 1987
 U.S. MAIL

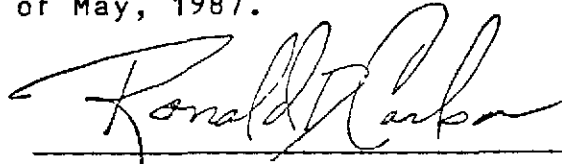
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	POSTMASTER, PER (Name of receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for COD and \$400 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.
3	Three	Jones	

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR)
TRANSFERS NOS. 34-0963 AND 34-0812/)
0813/0815/0816/0817 IN THE NAME) NOTICE OF
OF MARVIN GODDARD) CANCELLATION

Notice is hereby given that the Department of Water Resources has cancelled the hearing concerning the above referenced applications scheduled for Thursday, May 14, 1987, at 2:00 p.m. in Idaho Falls, Idaho

Dated this 8th day of May, 1987.



RONALD D. CARLSON

Eastern Regional Manager

DEC 15 1987

April 24, 1987

Rigby, Thatcher, Andrus, Rigby & Perks
P.O. Box 250
Rexburg, Idaho 83440

RE: Applications for Transfer Nos. 34-0812/etc. & 34-0963,
Marvin Goddard

Dear Mr. Rigby:

I understand you have been retained by Bar Donna Zollinger to represent her as the protestant regarding the above captioned applications. The administrative conference and/or hearing in this matter has been scheduled for May 14, 1987 at 2:00 p.m. in Idaho Falls. To assist you in preparing for the conference and/or hearing a copy of each transfer application filed by Mr. Goddard is enclosed. A copy of the protest submitted by Mrs. Zollinger is attached to each application. Also enclosed is a copy of the hearing notice.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

EC/md

Enclosures

DEC 15 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR)
TRANSFERS NOS. 34-0963 AND 34-0812/)
0813/0815/0816/0817 IN)
THE NAME OF MARVIN GODDARD)

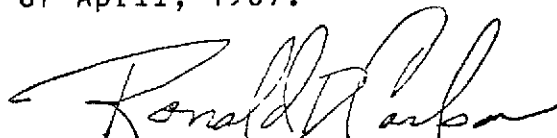
NOTICE OF HEARING
&/OR CONFERENCE

On January 14, 1987, Marvin Goddard filed with the Department of Water Resources an application No. 34-0963 to transfer the public waters of the State of Idaho. On February 23, 1987, the Department received a protest against approval of said application from Bar Donna Zollinger. On February 10, 1987, an additional transfer No. 34-0812/0813/0815/0816/0817 was filed by Marvin Goddard and on February 13, 1987, Bar Donna Zollinger protested said application.

The Department has set the matter of protests for hearing for 2:00 p.m., Thursday, May 14, 1987, in the Second Floor Conference Room, State Office Building, 150 Shoup, Idaho Falls, Idaho. The hearing will be held in accordance with provisions of Chapter 2, Title 42, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 20th day of April, 1987.

RECEIVED
FEB 07 1992


RONALD D. CARLSON
Eastern Regional Manager
DEC 15 1992

DEC 15 1992
replied

CONVERSATION MEMORANDUM

DATE April 23, 1987

FILE 34-0812/etc. & 34-0963

NAME OF PARTY Bar Donna Zollinger

EMPLOYEE Ernest Carlsen *Eme*

RE: Applications for transfer 34-0812/etc. & 34-0963

I telephoned Mrs. Zollinger to inquire about her reasons for requesting a postponement of the May 14, 1987 hearing scheduled to consider the above applications. At the time of her request she had not retained counsel and was concerned about the applicant having an attorney at the conference and her not having an attorney.

Subsequently, she retained Ray Rigby to represent her. But she had only discussed the matter with him by telephone. I indicated we would send a copy of each application to Mr. Rigby.

APR 25 1987

April 7, 1987

RE: Applications for Transfers Nos. 34-0812/etc. MARVIN GODDARD
34-0963

Bar Donna Zollinger
Star Route
Mackay, Idaho 83251

Bar Donna Zollinger
2032 Johnstone
Sandy, Utah 84092

Dear Ms. Zollinger:

The administrative conference &/or hearing on the above applications has been scheduled for May 14, 1987. Mr. Goddard, through his attorney, has requested the meeting be held in Idaho Falls. Prior to sending certified notices, we would like to know if there are objections to holding the meeting in Idaho Falls.

Objections must be submitted by April 20, 1987.

Respectfully submitted,

ERNEST CARLSEN
Water Rights Supervisor

EC:cw

cc: Marvin Goddard
Kent Foster

DEC 15 1982

March 19, 1987

R. Vern Kidwell
Holden, Kidwell, Hahn & Crapo
P.O. Box 129
Idaho Falls, Idaho 83402

RE: Marvin Goddard

Dear Mr. Kidwell:

Mr. Goddard has filed two transfer applications with the Department of Water Resources. The first application requests a change in point of diversion on Spring Creek for water right 34-0963. The second application involves all of Mr. Goddard's water rights decreed for diversion from the Big Lost River. These rights are identified by numbers 34-0812, 34-0813, 34-0815, 34-0816, & 34-0817.

Both applications were protested by BarDonna Zollinger.

A tentative date of May 13th or 14th has been discussed for conducting the administrative conference and/or hearing. You will be sent a copy of the hearing notice once the schedule is firmed up.

I am available to meet with you on either April 1st, 2nd, or 3rd for the purpose of reviewing Mr. Goddard's applications and pertinent information. Please let me know the date and time most suitable to you.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

EC/md

DEC 15 1992

LAW OFFICES

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FIRST NATIONAL BANK BUILDING

P O BOX 129

IDAHO FALLS, IDAHO 83402

TELEPHONE 523-0620

AREA CODE 208

March 13, 1987

WILLIAM S. HOLDEN
R. VERN KIDWELL, P. A.
FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
CURT R. THOMSEN
RANDALL K. BARTON
MICHAEL D. CRAPO

JAMES D. HOLMAN
GAYLE A. SORENSON
DONALD L. HARRIS
BRUCE T. SMITH
GREGOR S. CHVISUK

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)

RECEIVED
MAR 16 1987

Department of Water Resources
Eastern District Office

Mr. Ernest Carlsen
Assistant Regional Manager
IDAHO DEPARTMENT OF WATER
RESOURCES
150 Shoup, Suite 15
Idaho Falls, Idaho 83402

Re: Marvin Goddard
Transfer Applications
No. 34-0812
No. 34-0813
No. 34-0815
No. 34-0816
No. 34-0817
No. 34-0963

Dear Mr. Carlson:

We will be working with Marvin Goddard on the above transfer applications. We have been furnished with copies of the protests filed by Bardonna Zollinger as against 34-0963 and 34-0812.

I need verification as to whether the one protest applies against rights other than 34-0812, or is it just the one application.

I would like at your earliest convenience to have an opportunity to meet with you and review the plats, if available, and areas involved so that we can be in a position to evaluate this for Mr. Goddard.

We also understand informally that there has been a potential hearing set from the time frame May 11th to May 15th. We would like verification as to indicated time and, if possible, information as to address or location where the hearing will be held.

For obvious reasons we are reluctant to accumulate any substantial attorneys' fees on Mr. Goddard's behalf and are hopeful that we can get a better view of the

DEC 15 1987

Mr. Ernest Carlsen
Assistant Regional Manager
IDAHO DEPARTMENT OF WATER
RESOURCES

March 13, 1987

Page Two

entire proceedings if we could have an opportunity to meet with you. We would appreciate it if you would contact us for a suitable time. I will be out of the area from March 23 until the end of the month. Any other time would be available at your convenience.

Thank you for your courtesies. Best wishes.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'R. Vern Kidwell', with a stylized, looping flourish at the end.

R. Vern Kidwell

RVK:js

APPLICATION FOR TRANSFER OF
WATER RIGHT NO. 34-0812/etc.

RECEIVED
MAR 19 1987

WATER DISTRICT 34

Department of Water Resources
Eastern District Office

WATERMASTER Doug Rosenkranz

DATE: 3/17/87

COMMENTS: NONE

☒ I do endorse approval of this change.

☐ I do not endorse approval of this change.

I recommend the following conditions of approval:

Doug Rosenkranz
Watermaster

DEC 15 1992

March 5, 1987

RE: Application for Transfer No. 34-0812/etc. MARVIN GODDARD

Douglas Rosenkrance, Watermaster
Water District No. 34
Rt. 1, Box 24
Mackay, ID 83251

Dear Mr. Rosenkrance:

Please find enclosed a copy of the above referenced application(s) and water recommendation form(s). Please review the application(s) and complete the form(s), returning it to this office on or before March 23, 1987.

Thank you for your cooperation in this matter.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:CW

Enclosure

March 5, 1987

RE: Application for Transfer No. 34-0812/etc

Mr. Marvin Goddard
Star Route
Mackay, ID 83251

Dear Mr. Goddard:

Enclosed please find a copy of the protest filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing. Legal counsel is not mandatory at an proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

cc: IDWR - State Office

February 1987

RE: Application for Transfer No. 34-0812/etc MARVIN GODDARD

Bar Donna Zollinger
Star Route
Mackay, ID 83251

Dear Ms. Zollinger:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

February 27, 1987

Maryln Goddard
Star Route
Mackay, Idaho 83251

RE: Transfer Application no. 34-0812/0813/0815/0816/0817

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your transfer application. Please refer to the application number above in all further correspondence.

This office is currently in the process of advertising the application in the Challis Messenger, Lewiston Tribune, Times News & Idaho Statesman. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact his office if you have any questions regarding this procedure.

Sincerely,

Ernest Carlsen
Assistant Regional Manager

EC/md

RECEIVED

DEC 15 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 26, 1987

Times News
P. O. Box 348
Twin Falls, Idaho 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a sales proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 23, 1987.

Yours truly,

Michelle Davis
Office Secretary

Encl.

RECEIVED

DEC 15 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 26, 1987

Lewiston Morning Tribune
505 "C" Street
Lewiston, Idaho 83501

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 23, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

DEC 15 1982

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 526-7161

FEBRUARY 26, 1987

The Idaho Statesman
P. O. Box 40
Boise, Idaho 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a callier proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before MARCH 23, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

4-1-1
MICHAEL

DEC 31 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(200) 525-7161

FEBRUARY 26, 1987

Custer County Publishing Co.
P. O. Box 405
Challis, Idaho 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a sales proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 23, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

RECEIVED

DEC 15 1992

Handwritten: 12/15/92

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 34-0834

34-0812/0813/0815/0816/0817

Notice is hereby given that Marvin Goddard, Mackay, Idaho, has applied to the Department of Water Resources for clarification in the point of diversion and place of use of water from Big Lost River, tributary to Sinks. The rights sought to be changed are evidenced by Decree No. 34-0812, 34-0813, 34-0815, 34-0816, & the part of 34-0817 remaining after transfer no. 406, decreed to W. L. Wattis, in case of Utah Construction Co. vs John F. Abbott, et. al. dated 10/21/1925 in Eastern Division District Court, and is recorded as follows:

34-0812

AMOUNT: 3.20 cfs PRIORITY: 4/7/1886

34-0813

AMOUNT: 3.2 cfs PRIORITY: 3/30/1896

34-0815

AMOUNT: 3.3 cfs PRIORITY: 4/20/1887

34-0816

AMOUNT: 2.8 cfs PRIORITY: 7/31/1901

34-0817

AMOUNT: 2.40 cfs PRIORITY: 3/1/1902

The point of diversion for the above rights is on lands constituting the place of use.

DEC 15 1967

The water is used to irrigate lands remaining after transfer No. 406 within the SE1/4NE1/4, E1/2SW1/4, SE1/4, Sec. 32, SW1/4, Sec. 33, T. 8N R. 23E; NE1/4, E1/2NW1/4, NE1/4SW1/4, NW1/4SE1/4, Sec 5, N1/2, N1/2SW1/4, N1/2SE1/4, Sec 4, T. 7N. R.23E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SE1/4SW1/4NE1/4, (Big Lost River), NW1/4NW1/4SW1/4, (Parsons Creek), SE1/4SW1/4SW1/4, (Haystack Creek), SW1/4SE1/4SW1/4, (Haystack Creek), Sec. 32, T. 8N, R. 23E, B.M. Custer County, for the irrigation of 389.5 acres within the SE1/4NE1/4, E1/2SW1/4, SE1/4, Sec. 32, SW1/4, Sec. 33, T. 8N, R. 23E, W1/2NE1/4, NW1/4, Sec. 4, N1/2NE1/4, SE1/4NE1/4, NE1/4NW1/4, Sec. 5, T. 7N, R. 23E.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before March 23, 1987.

A. Kenneth Dunn

Director

Published March 5 & 12, 1987

DEC 15 1982