

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho }
County of Gooding } ss.

NOV 18 1991

Department of Water Resources
Southern Region Office

Patty Stance, being first duly sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 6th day of Nov., 1991, and the date of the last publication was on the 13th day of Nov., 1991.

Subscribed and sworn to before me this 14th day of Nov, 1991.

(SEAL)



Norma De Voe
NOTARY PUBLIC

10122
GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2X

MICROFILMED

JAN 22 1992

Lines tabular at _____ 6¢/Pica

1181.2 Lines straight at 59.06 5¢/Pica

Subsequent lines at 47.25 4¢/Pica

TOTAL COST 106.31

COPY OF NOTICE

(Paste Here)

Not. Prop. Change Wat. Rt.
CITY OF GOODING - 37-662
+ 271
A37-282
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id. Dept. Wat. Res.
BILL TO T.F.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NOS. 37-00662, A37-00662, 37-00271A, A37-00271A, 37-00282, A37-00282

Notice is hereby given that the City of Gooding has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water right No. 37-00662, Transfer No. 729

Basis of right: Decreed to City of Gooding in case of S.C. Frost et al vs Alturas Water Company et al dated 12-13-1909 in Fourth District, Lincoln County.

Source: Little Wood River tributary to Malad River

Priority Date: 6-15-1885

Amount of water: 1.42 cfs

Use: irrigation & domestic

Point(s) of diversion: SW1/4NW1/4, S3, T6S, R15E; Gooding County.

Place of use: Unspecified acres within City of Gooding, Gooding County.

WATER RIGHT AS RECORDED

Water right no. 37-00271A

Basis of right: Decreed to Fred W. Gooding in case of S.C. Frost et al vs. Alturas Water Co. et al dated 12-13-1909 in Fourth District Court, Lincoln County.

Source: Little Wood River tributary to Malad River

Priority Date: 6-30-1882

Amount of water: .316 cfs

Use: irrigation

Point(s) of diversion: SW1/4NW1/4, S3, T6S, R15E; Gooding County.

Place of use: Unspecified acres within City of Gooding, Gooding County.

WATER RIGHT AS RECORDED

Water right no. 37-00282

Basis of right: Decreed to Thomas H. Gooding in case of S.C. Frost et al vs. Alturas Water Company et al dated 12-13-1909 in Fourth District Court, Lincoln County.

Source: Little Wood River tributary to Malad River

Priority Date: 4-1-1877

Amount of water: 1.0 cfs

Use: irrigation

Point(s) of diversion: SW1/4NW1/4, S3, T6S, R15E; Gooding County.

Place of use: Unspecified acres within SE1/4NW1/4, E1/2SW1/4, W1/2SE1/4, S32, T5S, R15E; N1/2SW1/4, S1, T6S, R15E; N1/2SW1/4, SE1/4, S2, T6S, R15E; Lot 3 (NE1/4NW1/4), SE1/4NW1/4, NE1/4SW1/4, S5, T6S, R15E; Lot 3 (NE1/4NW1/4), Lot 4 (NW1/4NW1/4), Lot 5 (SW1/4NW1/4), SE1/4NW1/4, S6, T6S, R15E; Gooding County.

WATER RIGHT NO. 37-00662 & ADJUDICATION CLAIM NO. A37-00662 TO BE CHANGED AS FOLLOWS:

Water right No.: 37-00662

Amount: 1.42 cfs

WATER RIGHT NO. 37-00271A & ADJUDICATION CLAIM NO. A37-00271A TO BE CHANGED AS FOLLOWS:

Water right No.: 37-00271A

Amount: .316 cfs

WATER RIGHT NO. 37-00282 & ADJUDICATION CLAIM NO. A37-00282 TO BE CHANGED AS FOLLOWS:

Water right No.: 37-00282

Amount: 1.0 cfs

Total amount being transferred: 2.736 cfs
Source: Little Wood River tributary to Malad River

Point of Diversion: SE1/4SE1/4SW1/4, S32, T5S, R15E; Gooding County.

Place of use: 330.9 acres within SE1/4, S31, T5S, R15E; SW1/4, S32, T5S, R15E; W1/2SE1/4, S32, T5S, R15E; NW1/4NW1/4, S5, T6S, R15E; N1/2NE1/4, S6, T6S, R15E; Gooding County.

Any protest against approval of the ap-

✓ Timmerman, John L., Estate of	8	90 inches.	✓	May 15, 1881.	Spring Creek.
✓ Do.	100	"	125	July 1, 1888.	" "
✓ Trader, Charles C.	160	"	250	Apr. 5, 1900.	Cow Creek.
✓ Troeger, Anna B.	160	"	✓	May 1, 1881.	Big Wood River.
✓ " " "	200	"	188	June 15, 1891.	" " "
✓ " " "	90	"	167	July 15, 1889.	" " "
✓ Turnbull, Charles	60	"	268	May 1, 1902.	" " "
✓ " "	50	"	229	May 1, 1904.	" " "
+ Turner, Jane E., Miller, et al.					
					(See Miller, Annie I., Turner, et al.)
Turner, John G.	75	"	104	June 15, 1885.	Little Wood River. #729
✓ Uhrig, William	180	"	78	June 1, 1884.	Big Wood River.
Utah & Idaho Improvement Co.	220	"	88	July 10, 1884.	" " "
✓ Do.	1300	"	95	Oct. 15, 1884.	" " "
✓ Do.	900	"	119	June 12, 1886.	" " "
✓ Do.	1800	"	188	June 15, 1891.	" " "
Vance, Martha E.	100	"	76	May 15, 1884.	Little Wood River.
✓ Vandergraft, Delilah	160	"	225	Apr. 30, 1896.	Big Wood River.
Vaughn, William R.	160	"	78	June 1, 1884.	Little Wood River. #836
+ Village of Shoshone					
					(See Shoshone, Village of)
✓ Wallace, Chattie P.	310	"	289	May 1, 1904.	Big Wood River.
✓ Wallace, W. J.	280	"	234	Nov. 15, 1897.	" " "
✓ Walter, James F.	80	"	229	May 20, 1897.	" " "
" " "	120	"	309	 1906.	" " "
✓ Walter, L.	120	"	229	May 20, 1897.	" " "
Ward, Augusta M.	65	"	243	June 2, 1899.	Little Wood River.
" " "	40	"	24	June 2, 1882.	" " "
Wardrop, John	120	"	30	Nov. 30, 1882.	Soldier Creek.
" "	125	"	203	June 1, 1885.	" "
" "	160	"	249	Apr. 1, 1900.	" "

Trans. 68-69-70
1881 - Amended
Woodworth vs. Anthony
5-12-11
See File 11-1

September 20, 1948

Mr. J. Wesley Miller, Mayor
Gooding, Idaho

Dear Mr. Miller:

We enclose Certificate of Transferred Water Right No. 729 to the City of Gooding issued in accordance with your application, also Departmental Receipt No. 20888 for the \$1.00 recording fee.

A copy of this transfer is being sent to Mr. Mans H. Coffin, Watermaster, for his information.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Enc.

CC: Mr. Mans H. Coffin

RECEIVED

NOTICE
OF PROPOSED TRANSFER OF
WATER RIGHT

Notice is hereby given that J. Wesley Miller for City of Gooding of Gooding, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and/or place of use of the waters of Little Wood River as follows: Amount: 1.5 cubic feet per second. Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Township 5 S., Range 19 E. Place of Use: W $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, Twp. 5 S., R. 19 E.

Transfer to

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 3, Township 6 S., Range 15 E. Place of Use: Lands comprising the City of Gooding, Idaho, including lands in Sections 31 and 32, Twp. 5 S., R. 15 E.B.M. and adjacent lands.

And that on the 20th day of August, 1948, at 10 o'clock A. M., at State House, Room 107, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

MARK R. KULP,
State Reclamation Engineer
(a6-13)

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Lincoln—ss.

Herb. H. Love, being first duly sworn, says that he is the publisher and printer of the Lincoln County Journal, a newspaper published weekly at Shoshone, Idaho, having legal publication rights within the State of Idaho, and that the notice, a true copy of which is hereto attached, was published in said newspaper for 2 consecutive weekly issues, beginning with the issue of August 6, 19 48, and ending with the issue of August 13, 19 48.

Herb. H. Love

Subscribed and sworn to before me this

10 day of Sept, 19 48
W. E. Crane

Notary Public, Shoshone, Idaho.

Name of Applicant City of Gooding

T5S, R. 19E

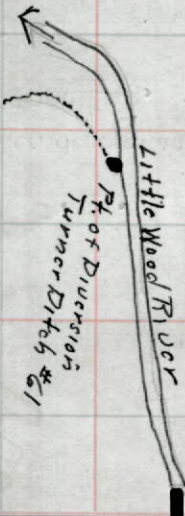
SEC. 6

SEC.

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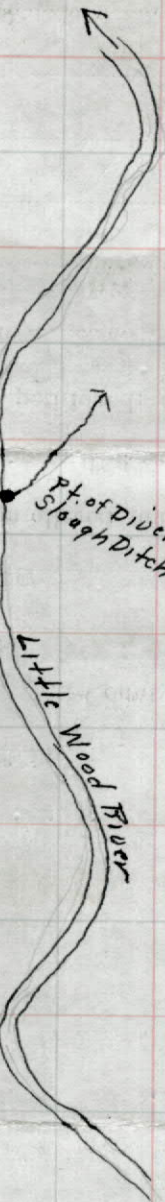
SEC.

SEC.

2

3

4



T6S, R. 15E

TRANSFER OF WATER RIGHT

11/11/07/1995

TRANSFER NO. 4576
WATER RIGHT NO(S). 37-00271A/37-00282/37-00662

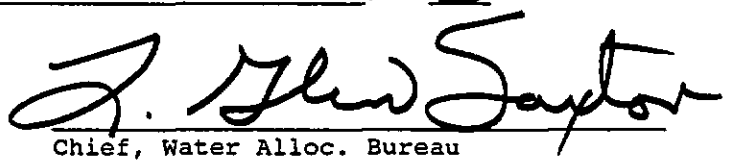
CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- *8. The total instantaneous diversion of water from all points of diversion under Transfer No. 4576 shall not exceed 2.74 cfs, nor total combined annual volume of 1070.6 af.
9. Place of use describes land within the city delivery system not actual irrigated acres under combined Right Nos. 37-00271A, 37-00282 and 37-00662. Total irrigated acres will be determined by the Snake River Basin Adjudication.
10. Two points of diversion are located within Lot 1 (NENE), S06, T06S, R15E.

Dated this 5th day of

June

, 1995.



Chief, Water Alloc. Bureau

JUN 07 1995

Page 1 of 16STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3867APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**APPROVED**Name of applicant CITY OF GOODING Phone 934-4429
Post Office address P.O. BOX 176 GOODING, ID 83330**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use as recorded, not as actually used
☐ Change nature of use ☐ Change period of use ☐ Other
2. Describe the reason for the proposed changes EXISTING POINT OF DIVERSION IS 2 1/4 EAST OF CITY, THE LOSS OF WATER FROM POINT OF DIVERSION TO PLACE OF USE IS SIGNIFICANT DUE TO SEEPAGE, EVAPORATION AND USE BY OTHER PARTIES ON LATERAL 93 (THE DIVERSION DITCH).

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-00662</u>	<u>6-15-1885</u>	<u>1.42 CFS</u>	<u>IRRIGATION</u>	<u>4-1</u> to <u>10-15</u>
<u>37-00271A</u>	<u>6-30-1882</u>	<u>.316 CFS</u>	<u>IRRIGATION</u>	<u>4-1</u> to <u>10-15</u>
<u>37-00282</u>	<u>4-01-1877</u>	<u>1 CFS</u>	<u>IRRIGATION</u>	<u>4-1</u> to <u>10-15</u>
<u>See Addendum</u>				to

2. Total amount of water being transferred 2.736 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water LITTLE WOOD RIVER tributary to MALAD RIVER
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	SW	32	5S	15E	GOODING	NOT NAMED (NEW)

5. Lands irrigated or place of use:
- NO CHANGE

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
5S	15E	31													30	26.2	40	40	136.2
5S	15E	32									38	34	40	27.7		1.5	3.5		144.7
6S	15E	5						10											10
6S	15E	6	22	18															40

Total acres 330.9

PART 1

6. General Information:

74N 6 S 13E5

a. Description of diversion system Water will be pumped together with Carey Act water and American Falls water for use in the irrigation of privately owned land which is in the corporate limits of the City of Gooding. Some water will be diverted by gravity, however at this time it is not possible to tell how much water can be diverted by gravity flow.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NOT CHANGING PLACE OF USE ONLY POINT OF DIVERSION

d. Remarks:

This water has been used as described in SRBA claims for many years. Although this transfer appears to constitute a change in the place of use, the change actually occurred many years ago. We do not plan to change the place of use from what it is now.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

37-00662 / 37-00271A / 37-00282

This is to certify that I have examined Application for Transfer of Water Rights No. A37-00662 / A37-00271A / A37-00282And said application is hereby APPROVED, subject to the following limitations and conditions:

See attached sheet for conditions of approval.

MICROFILMED

JAN 22 1992

Witness my hand this

2nd

day of

January1992A. Glen Saylor

Chief, Water Allocation Bureau

ATTACHMENT
CONDITIONS OF APPROVAL

Transfer of Water Right Nos. 37-00662/37-00271A/37-00282

Transfer No. 3857

1. Use of water under this water right is subject to control by the watermaster of State Water District No. 37-M, Little Wood River & Silver Creek.
2. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
3. The maximum combined rate of diversion under these rights shall not exceed 2.736 cfs.
4. This right combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
5. Approval of this transfer does not confirm the total number of irrigated acres claimed above.
6. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
7. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 2nd day of January, 1992.

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau

RECORDED
JAN 22 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00662 Decreed to City of Gooding
in case of S. C. Frost, et al vs. Alturas Water Company, et al
dated 12-13-1909 in Fourth District county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 729 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Little Wood River tributary to Malad River

4. Date or priority 6-15-1885

5. Water is used for the following purpose: * 1.5 cfs - 0.08 cfs conveyance loss per Trans. 729

amount 1.42 cfs * for irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for domestic purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.42 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	3	6S	15E	Gooding	Headgate #93

8. Lands irrigated or place of use: P/U within City of Gooding

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above

37-0282, 0271A, 0709, 0262, 0960

PART 2Transfer No. 3867

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

JAN 22 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-00662 on file with the Idaho Department of Water Resources.
- d. Transfer No. 729 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

- ☐ Tax Notice ☐ Warranty Deed ☐ Other CITY OF GOODING IRRIGATION WATER

3. Source of water LITTLE WOOD RIVER tributary to MALAD4. Date or priority 6-15-1885

5. Water is used for the following purpose:

amount 1.42 CFS for IRRIGATION purposes from 4-1 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.42 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	3	6S	15E	GOODING	LATERAL #93 - DWYER DITCH

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
5S	15E	31													30	26.2	40	40	136.2
5S	15E	32									38	34	40	27.7		1.5	3.5		144.7
6S	15E	5						10											10
6S	15E	6	22	18															40

Total acres 330.9

9. Describe any other water rights used for the same purpose as described above A37-00282, A33-00271A,
A37-00709, A37-00262, A37-00960

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

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- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Little Wood River tributary to Malad River

4. Date or priority 6-30-1882

5. Water is used for the following purpose:

amount 0.316 cfs for irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.316 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	3	6S	15E	Gooding	Headgate #93

8. Lands irrigated or place of use: P/U is within City of Gooding

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

37-0662, 0282, 0709, 0960, 0262

PART 2Transfer No. 3867

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-00271A on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other CITY OF GOODING
IRRIGATION WATER

3. Source of water LITTLE WOOD RIVER tributary to MALAD

4. Date or priority 6-30-1882

5. Water is used for the following purpose:

amount .316 CFS for IRRIGATION purposes from 4-1 to 10-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .316 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	3	6S	15E	GOODING	LATERAL #93 - DWYER DITCH

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
5S	15E	31													30	26.2	40	40	136.2
5S	15E	32									38	34	40	27.7		1.5	3.5		144.7
6S	15E	5																	10
6S	15E	6	LT1 22	LT2 18															40

Total acres: 330.9

9. Describe any other water rights used for the same purpose as described above A37-00282, A37-00662,
A37-00709, A37-00262, A37-00960

PART 2Transfer No. 3867

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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 JAN 22 1992

Total acres _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00282 Decreed to Thomas H. Gooding
in case of S.C. Frost, et al vs. Alturas Water Company, et al
dated 12-13-1909 in Fourth District county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Little Wood River tributary to Malad River

4. Date or priority 4-1-1877

5. Water is used for the following purpose:

amount 1.0 cfs for irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	3	6S	15E	Gooding	Headgate #93

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
5S	15E	32								X	X			X		X	X		
6S	15E	1									X	X							
		2									X	X			X	X	X	X	
		5					Lt3				X								
		6					Lt3	Lt4	Lt5										
							X	X	X	X									

JAN 22 1992

Total acres _____

9. Describe any other water rights used for the same purpose as described above

37-0271A, 0662, 0709, 0262, 0960

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

JAN 22 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-00282 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other CITY OF GOODING
IRRIGATION WATER

3. Source of water LITTLE WOOD RIVER tributary to MALAD

4. Date or priority 4-1-1877

5. Water is used for the following purpose:

amount 1 CFS for IRRIGATION purposes from 4-1 to 10-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	3	6S	15E	GOODING	LATERAL #93 - DWYER DITCH

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
5S	15E	31													30	26.2	40	40	136.2
5S	15E	32									38	34	40	27.7		1.5	3.5		144.7
6S	15E	5						10											10
6S	15E	6	22	18															40

Total acres 330.9

9. Describe any other water rights used for the same purpose as described above A37-00271A, A37-00662,
A37-00709, A37-00262, A37-00960

PART 2Transfer No. 3867

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

ADDENDUM

Part 1.B.1 Con't

Right Number	Priority	Amount	Use	Period of Use
A37-00662	6-15-1885	1.42 cfs	Irrigation	4-1 to 10-15
A37-00271A	6-30-1882	0.316 cfs	"	"
A37-00282	4-1-1877	1.0 cfs	"	"

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#3867

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SEE MAP ATTACHED

MICROFILMED
JAN 22 1992

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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.

Mena Heller
(Signature of Applicant)

Subscribed and sworn to before me this 28th day of November, 1990

Susan R. Kilson
(Notary Public)

My commission expires February 11, 1992

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 0 attachments

Received by JRP Date 11-29-90 Check # 11728 602 Protest filed by _____

Prelim. check by _____ Fee \$50.50/2863

Receipted by J.F. Stanton Date 12-3-90

Published in Gooding Co. Leader Copies of protest forwarded by _____

Pub. dates 11/06 & 11/13/91 Hearing held by _____ Date _____

Watermaster recommendation requested on 10/28/91 Recommended for ☒ approval ☐ denial

_____ rec'd. 11/19/91 by SL

Copy of transfer sent to lien holder _____

MICROFILMED

JAN 22 1992

ORDINANCE NO. 120

COPY

AN ORDINANCE TAKING OVER THE REGULATION, CONTROL AND SUPERVISION OF THE DISTRIBUTION OF ALL WATER USED BY THE INHABITANTS OF THE CITY OF GOODING, IDAHO, FOR IRRIGATION PURPOSES.

WHEREAS, a petition signed by the owners representing the ownership of more than two-thirds of the water distributed for irrigation purposes within the City of Gooding, Idaho, praying that said City regulate, control and supervise and distribution of all water used by the inhabitants of said City of Gooding, Idaho, and be empowered to convey the same by ditches, laterals, pipes, aqueducts, flumes, culverts or other feasible means, through the public streets, avenues and alleys, and to apportion such irrigation water among such inhabitants, and designate the time or turn, lengths of time when each water user or land owner shall use the same, and otherwise supervise, control and distribute such irrigation water in such a way to promote the general welfare of the inhabitants of said City, pursuant to the provisions of Article 4 of Chapter 163 Compiled Statutes of the State of Idaho.

NOW THEREFORE: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GOODING, IDAHO:-

Sec. 1. That the City of Gooding does hereby take over and assume the regulation, control and supervision of the distribution of all water used by the inhabitants of said City for irrigation purposes.

Sec. 2. That said City of Gooding does hereby assume the power and right to convey the water used by the inhabitants of said City for irrigation purposes, by ditches, laterals, pipes, aqueducts, flumes, culverts or other feasible means, through the public streets, avenues and alleys, and to apportion such irrigation water among such inhabitants, and designate the time or turn, lengths of time when each water user or landowner shall use same, and otherwise supervise, control and distribute such irrigation water.

JAN 22 1992

gation water in such a way to promote the general welfare of the inhabitants of said City of Gooding, and to do any and all things authorized by Article 4 of Chapter 163 of the Compiled Statutes of the State of Idaho and such additional powers or duties as may hereafter be provided by law.

Passed by the City Council and approved by the Mayor of said City of Gooding, Idaho, this 2nd day of February, 1920.

A. E. Thompson
Mayor

Attest:

L. H. Johnson
City Clerk.

JAN 22 1920

JAN 22 1920

MICROFILMED

JAN 22 1992

037103444 0 0022000

TO THE HONORABLE MAYOR and CITY COUNCIL OF THE CITY OF GOODING:-

We, the undersigned, owners representing the ownership of two thirds of the water distributed for irrigation purposes within the City of Gooding, Idaho, do hereby respectfully petition the Honorable Mayor and City Council of the City of Gooding, Idaho, that the said City of Gooding be empowered to regulate, control and supervise the distribution of all water used by the inhabitants thereof as authorized and provided by Article 4 of Chapter 152 of the Compiled Laws of Idaho, and we do each of us represent that the subscriber is the owner of the Lot or lots described herein and set opposite our respective names.

Name of Owner	Lot or Lots No.	Block Number
	Lots 7 to 12	Blk. 5
By <u>C. W. Jensen</u>	18-19-22	5
"	7-8	6
"	14-16-17-18	9
"	1-2-10-12	10
"	7-8	12
"	3 to 12	14
"	7	28
"	15-16	44
"	1 to 9	52
"	18 to 21	52
"	1 to 4	53
"	9 to 10	53
"	1 to 7	55
"	21 to 24	55
"	1 to 12	56
"	1 to 8	57
"	7-8	58
"	1-2	59
"	4 to 16	61
"	11 to 20	64
"	1 to 12	66
"	1 to 20 Does not include 17.	67
"	1 to 12	68
"	17 to 24	68
"	1 to 14	69
"	19 to 24	69
"	13 to 24	70
"	13 to 24	71

JAN 22 1992

269 210

Name of owner

Lot or Lots No.

Block No.

<i>Ch Wernsey</i>	<i>13 to 24</i>	<i>72</i>
"	<i>7 to 15</i>	<i>75</i>
"	<i>1 to 18</i>	<i>108</i>
"	<i>5 to 12</i>	<i>109</i>
"	<i>5 to 20</i>	<i>110</i>
"	<i>1 to 24</i>	<i>111</i>
"	<i>3 to 12</i>	<i>3</i>
"	<i>13 to 24</i>	<i>4</i>
"	<i>5 to 8</i>	<i>4</i>
"	<i>1-2</i>	<i>13</i>
"	<i>15-16</i>	<i>45</i>
"	<i>7 to 12</i>	<i>116</i>
"	<i>7 to 12</i>	<i>123</i>
"	<i>1 to 8</i>	<i>124</i>
"	<i>19 to 24</i>	<i>124</i>
"	<i>1 to 6</i>	<i>131</i>
"	<i>13 to 24</i>	<i>131</i>
"	<i>15 to 18</i>	<i>89</i>
<i>J. A. Farney</i>	<i>19 to 24</i>	<i>114</i>
<i>E. J. Stieren</i>	<i>1-2-3-4</i>	<i>17</i>
<i>Young Land Co</i>	<i>5-10-11-12</i>	<i>98</i>
"	<i>10 to 11</i>	<i>84</i>
<i>Young Land Co</i>	<i>17-18</i>	<i>85</i>
<i>Agents for</i>	<i>11-12</i>	<i>17</i>
<i>Do</i>	<i>14</i>	<i>48</i>
<i>Do</i>	<i>12-18 + 19</i>	<i>24</i>
<i>Do</i>	<i>13-14-15-16</i>	<i>20</i>
<i>Do</i>	<i>17-18</i>	<i>26</i>
<i>Do</i>	<i>21-22-23-24</i>	<i>20</i>
<i>J. L. Gooding</i>	<i>1 to 12-1 to 12-1 to 12</i>	<i>71-72-73</i>
"	<i>16-17</i>	<i>1</i>
"	<i>3 to 6 + 7-12</i>	<i>5</i>
"	<i>1-3-4-5-6-7-8-9-10-11-12</i>	<i>6</i>
"	<i>9 + 11-12</i>	<i>13</i>
"	<i>1-2-3-4-5-6-7-8-9-10-11-12</i>	<i>15</i>
"	<i>5 to 9</i>	<i>19</i>
"	<i>8</i>	<i>20</i>
"	<i>all blocks</i>	<i>112-113-118-119-120-121</i>
"	<i>(572)</i>	<i>126-127-128</i>

362

Name of owner	Lot or Lots No.	Block No.
W F Gooding	1 to 12 - 23 - 24	122
" " "	1 to 6 - 20 - 21	123
" " "	7 to 12 - 13 to 18	124
" " "	1 to 14 - 17 - 18	125
" " "	21 to 24	125
" " "	1 to 14 - 17 to 24	129
" " "	7 to 18	131
W F Kennedy	12 - 13 - 14	132
R J Willey	21 - 27	107
" " "	17 - 20 - 28	"
" " "	29 to 31	"
Ray F Hill	22 - 23	27
Ind School Dist #10	all of Block 23, 35, 136	
W H Parker	6 to 12	445 54
R L Parker	17 to 20	55
Geo W Pasham	13, 14, 15	115
H A Pasham	16, 17, 18	115
H A Pasham	21 + 22	25
Wesley Henry	1 to 5 - 7 to 9	
E B Hughes	9 - 10 - 11 - 12	9
"	9 - 10 - 11 - 12	12
"	7 - 5 - 6	28
E V Howard	21 - 22 - 23 - 24	26
"	21 - 22	14
"	No. 12345679	162
W J Sefford	9 - 10 - 11 - 12	28
P S Olson	6 - 7	28
W R R. Simmons	10 - 11 - 12 - 13 - 14	52
R C Henderson	17 - 18 - 19 - 20	59
C W Henderson	7 - 8 - 9 - 10	99
A E Thompson	17 - 18 - 19 - 20	15
"	17 - 18 - 19 - 20	29
"	17 - 18 - 19 - 20	17
"	21 - 22 and 22	28
"	21 - 22	15
"	21 - 22	21

Name of owner	Lot or Lots No.	Block No.
<u>F. R. Gooding</u>	<u>3 to 12 - 17-18</u>	<u>211</u>
"	<u>10</u>	<u>2121</u>
"	<u>13-14</u> ✓	<u>217</u>
<u>2661 22 NW</u>	<u>3 to 5, 8 11-12</u>	<u>28</u>
<u>2661 22 NW</u>	<u>17-18</u>	<u>34</u>
"	<u>20-24</u>	<u>36</u>
"	<u>13-14, 21, 23, 24</u>	<u>38</u>
"	<u>17 to 25</u>	<u>40</u>
"	<u>1-2, 6 to 11</u>	<u>45</u>
"	<u>9 to 12, 23, 24</u>	<u>47</u>
"	<u>1-2 - 5</u>	<u>48</u>
"	<u>3 to 9</u>	<u>49</u>
"	<u>5 to 10</u>	<u>50</u>
"	<u>all</u>	<u>51</u>
"	<u>1 to 3 17 to 19</u>	<u>54</u>
"	<u>21, 22</u>	<u>56</u>
"	<u>17-18 - 21-22</u>	<u>61</u>
"	<u>13-14</u>	<u>68</u>
"	<u>15 to 18</u>	<u>69</u>
"	<u>1 to 12</u>	<u>70</u>
"	<u>15 to 24</u>	<u>73</u>
"	<u>2 - 7-8-12 to 14</u>	<u>85</u>
"	<u>23 to 38</u>	<u>85</u>
"	<u>19 to 24</u>	<u>89</u>
"	<u>all</u>	<u>90</u>
"	<u>5 to 11 - 17 to 25</u>	<u>91</u>
"	<u>all</u>	<u>92</u>
"	<u>1-2 - 7-8</u>	<u>93</u>
"	<u>11-12 - 13-14-15</u>	<u>93</u>
"	<u>1-6 to 14 - 25 to 37</u>	<u>96</u>
"	<u>1 to 6</u>	<u>97</u>
"	<u>all 100-101-102-103-104-105</u>	<u>98</u>
"	<u>5 to 10 - 12 to 24 all</u>	<u>106</u>
"	<u>1 to 8 - 32 to 35</u>	<u>107</u>
"	<u>7-8</u>	<u>109</u>
<u>not counted</u>	<u>15-16</u>	<u>111</u>
"	<u>1-2</u>	<u>115</u>
"	<u>1 to 6</u>	<u>116</u>
"	<u>1 to 12 - 22-24</u>	<u>117</u>
"	<u>1 to 8 (428)</u>	<u>117</u>

Name of Owner

Lot or Lots No.

Block No.

L. H. Farris ✓

20-21-22-23-24

30 ✓

Martha Adams

15 16 17

139 L

Gilbert P. Dinton ✓

19 & 20

165 ✓

Gooding Title & Abstract Co., Ltd.

Gooding, Idaho ✓

5

20 ✓

Frank Tarpine

21 & 24 Blk 8

8 ✓

~~Frank Tarpine~~

18 + 19

1 ✓

✓ H. L. Moody

13 + 14

59 ✓

John D. Wood

13-14-15 & 16

65 ✓

John D. Wood

13-14-15 & 16

31 ✓

Julian Churchill

13-14-15 & 16

22 ✓

H. L. Long

8-9-10

55 ✓

J. E. Palmer

1-2-8 9

35 ✓

Rayearfield

7-8

31 ✓

Ray Stewart

3-4

11 ✓

Mrs. M. R. Young

4-5-6-7-8

6 ✓

Mrs. L. Swanson

21-22-23 & 24

90 ✓

7-8

33 ✓

" "

1 & 2

47 ✓

X H. L. Moody at

16 & 17

44 ✓

Ralph Walker

3-4

59 ✓

Fred Monroe

17-18-19-20

10 ✓

H. H. Hinkley

9-12

132 ✓

" "

23-22

100 ✓

C. B. Williams

9-10-11-12

2 ✓

Jacob Emmen

13-14

6 ✓

C. L. Hancock

15-16-17

6 ✓

C. L. Miller

21-22-23 & 24

17 ✓

P. Oakes

19-20

33 ✓

Harry Clifford

17-18

58 ✓

R. D. Brown

15 - 16

9 ✓

R. D. Brown

18-19-20

14 ✓

R. D. Brown

13-14-15

16 ✓

Mrs. M. R. Young

8-17-18

114 ✓

Robert C. Brown

1-2

15 ✓

Robert C. Brown

1-2-3-4

25 ✓

J. E. Hovey

21-22-23-24

22 ✓

140

Name of Owner

2661 22 NW Lot or Lots No.

Block No.

> H. O. Wagoner	15-16	8
> Mrs. W. S. Simonson	6-7	8.3
> S. M. G. G. G. G.	13-14	10
> J. T. Howard	23-24	14
> Palmer Grindle	23 24	10
> Belle Stess	22-23-24	34
> E. E. Brandt	21-22-23-24	7
> James Graham	13-14	56
> E. L. Smith	9 & 6	9
> S. J. Melicant	15 & 16	88
>	7	1
> D. W. Keasey	17-18	57 ✓
> W. Douglas	18 to 24	46 ✓
> H. E. Lamm	22-23-24 & 21	60 ✓
> Jones Bros	1 to 12	46 ✓
> H. H. Garlinger	21 to 24-13 to 16	18 ✓
>	13-14	3 L
>	7-8	2 ✓
> L. S. Liddle	10 to 12	48 ✓
> Henry Jensen	11 & 12	87 ✓
> O. S. Liddle	16-17 & 18	47 ✓
> H. H. McFarley	9-10-11-12	148 ✓
> H. P. G. G. G.	A to 12	94 ✓
> E. R. Evans	7 to 12	115 ✓
> J. P. Baker	C 2 lots	2 ✓
> Ray Bevington	6 & 7 of 8 & 9	48 ✓
> John D. G. G.	1 & 2 of 6	68 ✓
> H. H. G. G.	20-21-22	24 ✓
> H. P. S. Turner	17-18	138 ✓
> Amelia H. Wheeler	23 & 24	61 ✓
>	20-24 inc.	99 ✓
> Ed. Nelson	15-16	3 ✓
> Rev. J. J. J. J.	9-10-11-12	1 ✓
> H. E. Counts	19-20	8.1 ✓
> H. O. Beggs	3 & 4	15 ✓
> H. O. J. J.	13-14	18 ✓
> Paul Johnson	15 to 18 (126)	87 ✓

Name of Owner	Lot or Lots No.	BL or No.
J. E. Torrey	13-14	26 v
J. F. Nichols	20-21-22	39 v
W. W. Reynolds	20-1/2 21	19 v
J. R. Bradford	11-12	18 v
" "	12	1 v
H. A. Cleveland	9	10 v
" "	15-16	21 v
M. Kautz	13-14	188 v
W. E. Hickok	9-10	15 v
G. S. Madden	23+24	60 v
F. E. Messenger	134+4	20 v
B. S. Harnett	4	123 v
B. S. Harnett	13-14-15-16	21 v
B. S. Harnett	15 2	12 v
P. B. Dickerson	18+14	123 v
P. B. Dickerson	16-17-18-19	115 v
W. H. Cannon	19-20-21-22	65 v
W. H. Cannon	17-18-19-20	17 v
W. H. Cannon	5-6	24 v
E. H. Nagland	13-14-15-16-17	14 v
E. H. Nagland	5-6-7	7 v
J. E. Palmer	4-5-6	13.2 v
J. E. Palmer	21-22-	85 v
J. E. Palmer	5-6-	46 v
A. J. Stensland	1-12	46 v
" "	13 to 18	47 v
" "	20-21	89 v
" "	10-25	144 v
H. A. Johnson	9-12	12 v
G. S. Harnett	20-21-22	66 v
T. E. Raby	15-16	66 v
T. E. Raby	19-20	87 v
T. E. Raby	11-12	8 v
Mrs. Grace P. Osborn	17 to 20	14 v
M. S. Powell	13-14-15	134 v
B. S. Harnett	13-16-21-24	89 v
L. J. Brumfield	1-2-3-4-5-6	89 v
" "	7-8	89 v
" "	-119-	

JAN 22 1992

Wm. J. Dwyer	37 & 38	98 ✓
Chas. J. Dwyer	19 24	88 ✓
H. F. Dwyer	15 & 18	88 ✓
J. B. Dwyer	5 & 6	10 ✓
W. F. Dwyer	1 - 2	88 ✓
W. R. Dwyer	3 - 4	32 ✓
John P. Dwyer	5 - 6	32 ✓
E. E. Dwyer	9 - 10 - 11 - 12	17 ✓
Mrs. J. J. Ferguson	16, 17, 18, 19	98 ✓
C. E. Bigham	1 - 2 - 3 - 4	50 ✓
Frank Reeves	384 —	60 ✓
Wm. J. Dwyer	1 to 6 — woodworth	132 ✓
C. R. Dwyer	1 to 4	96 ✓
Harry J. Dwyer	10	33 ✓
C. J. Dwyer	7 - 8 - 9 - 10 - 11 - 12	65 ✓
W. J. Dwyer	13 - 14 all 15 - 16	1 ✓
H. J. Dwyer	20 - 21 - 22	40 ✓
L. Dwyer	4 - 5 - 6	2 ✓
C. J. Dwyer	7 - 8	60 ✓
J. C. Dwyer	15 - 16	59 ✓
Ray Sanders	9 - 10 - 11 - 12	85 ✓
H. J. Hanselman	13 - 14 - 15 - 16	141 ✓ Woodworth
H. J. Dwyer	2 lots	82
C. J. Woodworth	13 - 14 - 19 - 20 - 23 - 24	132 ✓
" " "	5 to 8 - 23 - 24 1 to 7 - 21 to 24	138 ✓
" " "	3 - 4 - 5 - 6 - 7 - 8	139 ✓
" " "	13 - 14 - 15 - 16 - 17 - 18	140 ✓
" " "	all	142 ✓
" " "	1 to 12 - 15 - 16 - 17	130 ✓
" " "	all except 19 - 20	146 ✓
" " "	17 to 20 - 1 to 6 - 23 - 24	141 ✓
" " "	19 - 20	134 ✓
" " "	13 - 14 - 17 to 20	137 ✓
" " "	all except 23 - 24	142 ✓
" " "	3 to 8 - 13 - 24	143 ✓

Name of Owner

Lot or Lots No.

Block No.

~~Peter M. M. M. M.~~	~~22-23-24~~	~~11~~
~~T. M. M. M.~~	~~20-21~~	~~11~~
Mrs. Mamie Jeffries	17+18-7-8	113 ✓
" "	17+18	13
Geo. W. Proctor	15+16-19-20	13
Mr. Baker	17 to 20	7
~~Sam. S. S. S.~~	~~21-22-23-24~~	~~16~~
~~Wm. S. S. S.~~	~~73-74~~	~~18~~
~~Wm. S. S. S.~~	~~12-13-14-15-16-17-18-19~~	~~19~~
Mrs. M. M. Nielson	11+8+9	25
Margaret L. Coon	23-24	66
C. H. Douglass	17-18-19	117
" "	18-19-20	7 ✓
W. E. Burnett	17-18	56
J. F. Haight	19-20	109
Wm. Thomas	20 to 24	53
F. J. Middlesworth	15-16-17-18	53
T. E. Brown	5-6-7-8	27
" "	7 5 1/2 8	25
O. K. Anderson	13-14-15-16	117
H. A. Gurley	7+8	11
T. A. Johnson	13 to 16	17
Geo. W. Bacon	24 17+18	33
Arthur C. Evans	23+24	24
J. E. Carter	1+2-	34
" "	1+2	48 ✓
Albion B.	5+6	25
F. T. Farscht	18-18-19	11
~~E. J. F. F.~~	~~18-19-20~~	~~116~~
J. D. Farscht	21-22-23-24-5-6	184
J. N. McAfee	9-10	85
" "	1 to 6	93
Mary Bryant	19 to 22	48
Sarah Leeper	3-4	48
John P. Bishop	23-24	41
" "	18 to 24	93
Mrs. T. C. F.	21-22	66

JAN 22 1902

126

Name of owner	Lot or Lots No.	Block No.
A. E. [unclear]	21-24	67
[unclear]	1-2	58
[unclear]	21-22-23-24	65
R. W. Haurston	1-2-3-4-5-6-19-20-21	74
Blanche D. Wood	1-2-3-4-5-6-7-8-9-10-11-12	27
China Kelly	13-14	22
W. B. Kelly	1-2-3	22
Bernard [unclear]	15-16-17	60
L. Levy	23-24	69
Delmo [unclear]	9-10-11-12-13-14-15	39
J. B. [unclear]	23-24-25-26	71
Ann Levy	16-17-18-19-20	75
C. E. Bigham	1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24	75
W. D. [unclear]	13-18	96
[unclear]	21-22-23-24	76
[unclear]	1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24	74
Geo. [unclear]	21-22-23-24	33
[unclear]	15-16-17-18-19-20-21-22-23-24	60
H. [unclear]	1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24	60
[unclear]	1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24	60
J. [unclear]	13-14-15-16-17-18-19-20-21-22-23-24	58
[unclear]	21-22	59
W. [unclear]	21-22-23-24	64
Joseph W. Robertson	12-11-10-9-8-7-6-5-4-3-2-1	60
[unclear]	9-10-11-12	60
[unclear]	13-14-15-16	76
[unclear]	13-14-15	60
[unclear]	6-7-8	50
[unclear]	19	28
Julius Smith	22	60
"	19-20	57
"	5-6	115
Myrtle [unclear]	23-24	57
Margaret Powell	17-18	26
	16	

Name of Owner

Lot or Lots No.

Block No.

C. L. Woodward

1 to 8 - 13 to 18
~~1 to 3 - 10 to 13~~
1 to 18 - 21 - 22

144 ✓

145 ✓

1 to 12 - 15 to 24

148

all

149

1 to 18

150

all

151

all

152

1 to 3 - 17 to 24

153

all

154

"

155

"

156

"

157

"

158

"

159

3 to 4

18

13 to 14

37

RECORDED
JAN 22 1902

307

A. T. Burman	7 & 8	88 ✓
G. E. Campbell	1 & 2	3 ✓
John B. Harms	9-10-11-12	143 ✓
O. H. Muller	13-14	143 ✓
J. J. Maran	16-17	143 ✓
J. J. Mellett	19-20-21	143 ✓
J. J. Mellett	20-21	143 ✓
J. J. Mellett	3 & 4	31 ✓
J. H. Long	1 to 7	130 ✓
" "	7-8-9-10-11-12	141 ✓
Lewis R. Gaddis	8	47 ✓
Walter Wilson	8-11-12	138 ✓
A. J. Pash	1 & 2	189 ✓
Joe Johnson	8 to 12	133 ✓
J. E. Johnson	15-16	137 ✓
G. E. Roberts	19-20	246 ✓
W. E. J. J. J. J.	9-10	31 ✓
James Devaney	1-2	91 ✓
J. E. J. J. J.	1-2	49 ✓
Jennie Eakin	lots 5 & 6 blk.	132 ✓
St. W. Withers	11 to 14	88 ✓
J. H. Bacon	9-10	99 ✓
A. B. Slater	5-6	18 ✓
" "	21 to 24	31 ✓
" "	5-6	97 ✓
Luther Rake	3 to 7	53 ✓
Netta Woodworth	1 to 5	133 ✓
Theresa Magruder	8 & 9-3	144 ✓
George W. W.	1 & 2	33 ✓
Bessie Fayette	1 & 5	11 ✓
" "	1 & 12	2 ✓
Frank Blaser	5-6-7	38 ✓
George Steintz	21 to 27 + N 1/2 of 18	34 ✓
W. W. W.	9-10-11-12 & 17	107 ✓
W. O. W.	13-14	22 ✓
		2 ✓

Name of Owner

Lot or Lots No.

Block No.

A. M. Singer

16-19.

93. ✓

W. H. Pines

15-16

130 ✓

T. H. Coburn

3-4

88 ✓

W. H. Pines

15-16-17-18-19-20

33 ✓

W. H. Pines

1-2-3-4-5-6

153

RECORDED

JAN 22 1992

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho }
County of Gooding } ss.

NOV 18 1991

Department of Water Resources
Southern Region Office

Patty Nance, being first duly sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the

6th day of Nov., 1991.

and the date of the last publication was on the 13th day of

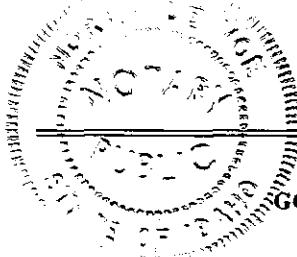
Nov., 1991.

Patty Nance

Subscribed and sworn to before me this 14th day of Nov, 1991.

(SEAL)

Norma De Voe
NOTARY PUBLIC



10122
GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2X

JAN 22 1992

Lines tabular at _____ 6¢/Pica
1181.2 Lines straight at 59.06 5¢/Pica
Subsequent lines at 47.25 4¢/Pica
TOTAL COST 106.31

COPY OF NOTICE

(Paste Here)

Not. Prop. Change Wat. Rt.
CITY OF GOODING - 37-662
+ 271
A370 282

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id. Dept. Wat. Res.
BILL TO TIF.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NOS. 37-00662, A37-00662, 37-00271A, A37-00271A, 37-00282, A37-00282

Notice is hereby given that the City of Gooding has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water right No. 37-00662, Transfer No. 729

Basis of right: Decreed to City of Gooding in case of S.C. Frost et al vs Alturas Water Company et al dated 12-13-1909 in Fourth District, Lincoln County.

Source: Little Wood River tributary to Malad River

Priority Date: 6-15-1885

Amount of water: 1.42 cfs

Use: Irrigation & domestic

Point(s) of diversion: SW1/4NW1/4, S3, T6S, R15E; Gooding County.

Place of use: Unspecified acres within City of Gooding, Gooding County.

WATER RIGHT AS RECORDED

Water right no. 37-00271A

Basis of right: Decreed to Fred W. Gooding in case of S.C. Frost et al vs Alturas Water Co. et al dated 12-13-1909 in Fourth District Court, Lincoln County.

Source: Little Wood River tributary to Malad River

Priority Date: 6-30-1882

Amount of water: .316 cfs

Use: Irrigation

Point(s) of diversion: SW1/4NW1/4, S3, T6S, R15E; Gooding County.

Place of use: Unspecified acres within City of Gooding, Gooding County.

WATER RIGHT AS RECORDED

Water right no. 37-00282

Basis of right: Decreed to Thomas H. Gooding in case of S.C. Frost et al vs. Alturas Water Company et al dated 12-13-1909 in Fourth District Court, Lincoln County.

Source: Little Wood River tributary to Malad River

Priority Date: 4-1-1877

Amount of water: 110 cfs

Use: Irrigation

Point(s) of diversion: SW1/4NW1/4, S3, T6S, R15E; Gooding County.

Place of use: Unspecified acres within SE1/4NW1/4, E1/2SW1/4, W1/2SE1/4, S32, T5S, R15E; N1/2SW1/4, S1, T6S, R15E; N1/2SW1/4, SE1/4, S2, T6S, R15E; Lot 3 (NE1/4NW1/4), SE1/4NW1/4, NE1/4SW1/4, S5, T6S, R15E; Lot 3 (NE1/4NW1/4), Lot 4 (NW1/4NW1/4), Lot 5 (SW1/4NW1/4), SE1/4NW1/4, S6, T6S, R15E; Gooding

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
--------------	------	------------------	-------------------	--------------

	Turner, John G.	1.5		37-0662
729	City of Gooding 5.33% to River	1.42	0	37-0662A

TURNER

R

A

N

S

F

E

R

C O P Y

S T A T E O F I D A H O

D E P A R T M E N T O F R E C L A M A T I O N

In the Matter of the Application of)

City of Gooding)
of Gooding, Idaho)

ORDER GRANTING TRANSFER

No. 729

For a Transfer of Water Right, in Water District)
No. 11-AB, Lincoln, County, Idaho)

WHEREAS, On the 20th day of August, 1948, at the Department of Reclamation of the State of Idaho, this matter of an application of the City of Gooding, through J. Wesley Miller, Mayor, of Gooding, Idaho, for a transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby:

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed, at Boise, Idaho, this 20th day of September, 1948.

Mark R Kulp

MARK R. KULP
State Reclamation Engineer



S T A T E O F I D A H O

D E P A R T M E N T O F R E C L A M A T I O N

Certificate of Water Right
Transferred Right No. 729

37-0662

THIS IS TO CERTIFY THAT THE CITY OF GOODING is the owner of and using a certain water right from Little Wood River in the amount of 1.5 cubic feet per second, bearing date of priority of June 15, 1885, said water being decreed to John G. Turner by Judge Alfred Budge, of the Fourth Judicial District of the State of Idaho, in and for the County of Lincoln, in the case of

S. C. FROST, et al
Plaintiffs

vs

ALTURAS WATER COMPANY, et al
Defendants

said decree bearing date of December 13, 1909, for the purpose of irrigating the following described lands, situate, lying and being in the County of Lincoln, and State of Idaho, to-wit:

W $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 7
Township 5 South, Range 19 East, B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 3 of Decrees, at Page 807.

That said CITY OF GOODING has become the owner of said water right by mesne conveyances.

And that now, upon the application of the CITY OF GOODING, through its Mayor, J. Wesley Miller, of Gooding, Idaho, for the transfer of 1.5 cubic feet per second of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 1.5 cubic feet per second of the waters of Little Wood River is hereby abandoned upon the lands above described, and the place of use of 1.42 cubic feet per second of water under such right, and to which the water right hereby confirmed shall by this certificate become appurtenant for irrigation and domestic purposes, after a deduction of five and thirty-three hundredths per cent (5.33%) or 0.08 cubic feet per second of said water right has been abandoned to Little Wood River to compensate other water users for the transmission loss caused by the change in point of diversion, is described as follows, to-wit:

Lands comprising the City of Gooding, Idaho,
including lands in Sections 31 and 32, Twp. 5 S.
Range 15 E., B.M., and adjacent lands.

That the said water is to be limited at any given time to an amount actually needed, and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

1.42 cubic feet per second, bearing date of
priority of June 15, 1885.

That the water right hereby transferred has heretofore been conducted to the first above described land through the Turner Ditch, No. 61, with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 5 S., Range 19 E. B.M.

That the water right hereby transferred will hereafter be conducted to the last above described land through the City of Gooding Ditches, with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, Twp. 6 S., Range 15 E. B.M.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 20th day of September, 1948.



Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

1

300Y

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of

City of Gooding
of Gooding, Idaho

For a Transfer of Water Right, in Water District
No. 11-AB, Lincoln, County, Idaho

ORDER GRANTING TRANSFER

No. 729

WHEREAS, On the 20th day of August, 1948, at the Department of Reclamation of the State of Idaho, this matter of an application of the City of Gooding, through J. Wesley Miller, Mayor, of Gooding, Idaho, for a transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby:

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed, at Boise, Idaho, this 20th day of September, 1948.

MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 729

THIS IS TO CERTIFY THAT THE CITY OF GOODING is the owner of and using a certain water right from Little Wood River in the amount of 1.5 cubic feet per second, bearing date of priority of June 15, 1885, said water being decreed to John G. Turner by Judge Alfred Budge, of the Fourth Judicial District of the State of Idaho, in and for the County of Lincoln, in the case of

S. C. FROST, et al
Plaintiffs

vs.

ALTURAS WATER COMPANY, et al
Defendants

said decree bearing date of December 13, 1909, for the purpose of irrigating the following described lands, situate, lying and being in the County of Lincoln, and State of Idaho, to-wit:

$\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{2}$ NW $\frac{1}{4}$ Section 7
Township 5 South, Range 19 East, B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 3 of Decrees, at Page 307.

That said CITY OF GOODING has become the owner of said water right by mesne conveyances.

And that now, upon the application of the CITY OF GOODING, through its Mayor, J. Wesley Miller, of Gooding, Idaho, for the transfer of 1.5 cubic feet per second of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 1.5 cubic feet per second of the waters of Little Wood River is hereby abandoned upon the lands above described, and the place of use of 1.42 cubic feet per second of water under such right, and to which the water right hereby confirmed shall by this certificate become appurtenant for irrigation and domestic purposes, after a deduction of five and thirty-three hundredths per cent (5.33%) or 0.08 cubic feet per second of said water right has been abandoned to Little Wood River to compensate other water users for the transmission loss caused by the change in point of diversion, is described as follows, to-wit:

Lands comprising the City of Gooding, Idaho,
including lands in Sections 31 and 32, Twp. 5 S.
Range 15 E., B.M., and adjacent lands.

That the said water is to be limited at any given time to an amount actually needed, and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

1.42 cubic feet per second, bearing date of
priority of June 15, 1885.

That the water right hereby transferred has heretofore been conducted to the first above described land through the Turner Ditch, No. 61, with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, Township 5 S., Range 19 E. B.M.

That the water right hereby transferred will hereafter be conducted to the last above described land through the City of Gooding Ditches, with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, Twp. 6 S., Range 15 E. B.M.

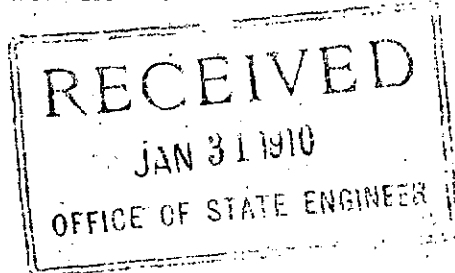
That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 20th day of September, 1948.

MARK R. KULP
State Reclamation Engineer

RECORDED
INDEXED
SEP 21 1948
BOISE, IDAHO

In the District Court of the Fourth Judicial District
of the
State of Idaho, in and for the County of Lincoln.



S. C. Frost, et al.,

Plaintiffs,

vs.

DECREE.

Alturas Water Company, et al.,

Defendants.

This cause coming on to be heard this 6th day of October,
1909, upon the Report of F. J. Cowen, Referee heretofore appointed for
the purpose of taking the testimony and making recommendations as to Find-
ings of Fact, Conclusions of Law and Decree, to be entered herein, and the
said F. J. Cowen having filed his Report of the testimony taken, and his
recommendations as to Findings of Fact, Conclusions of Law, which have
heretofore been adopted, and the respective plaintiffs and defendants and
cross-complainants appearing herein by their respective counsel, and the
court being fully informed and advised in the premises, and having ordered
that judgment be entered in accordance with the Report and recommenda-
tions of the said Referee, Wherefore, by reason of the law and the Report
and Findings of Fact and Conclusions of Law aforesaid,

It is Ordered, Adjudged and Decreed, that the several parties, plain-
tiffs and defendants herein named, do have judgment respectively for a

✓ Timmerman, John L., Estate of	90 inches.	May 15, 1881.	Spring Creek.
✓ Do.	100 "	July 1, 1888.	" "
✓ Trader, Charles C.	160 "	Apr. 5, 1900.	Cow Creek.
✓ Troeger, Anna B.	160 "	May 1, 1881.	Big Wood River.
✓ " " "	200 "	June 15, 1891.	" " "
✓ " " "	90 "	July 15, 1889.	" " "
✓ Turnbull, Charles	60 "	May 1, 1902.	" " "
✓ " "	50 "	May 1, 1904.	" " "
+ Turner, Jane E., Miller, et al.			(See Miller, Annie I., Turner, et al.)
Turner, John G.	75 "	June 15, 1885.	Little Wood River. #729
✓ Uhrig, William	180 "	June 1, 1884.	Big Wood River.
✓ Utah & Idaho Improvement Co.	220 "	July 10, 1884.	" " "
✓ Do.	1300 "	Oct. 15, 1884.	" " "
✓ Do.	900 "	June 12, 1886.	" " "
✓ Do.	1800 "	June 15, 1891.	" " "
Vance, Martha E.	100 "	May 15, 1884.	Little Wood River.
✓ Vandergraft, Delilah	160 "	Apr. 30, 1896.	Big Wood River.
Vaughn, William R.	160 "	June 1, 1884.	Little Wood River. #836
+ Village of Shoshone			(See Shoshone, Village of)
✓ Wallace, Chattie P.	310 "	May 1, 1904.	Big Wood River.
✓ Wallace, W. J.	280 "	Nov. 15, 1897.	" " "
✓ Walter, James F.	80 "	May 20, 1897.	" " "
" " "	120 "	 1906.	" " "
✓ Walter, L.	120 "	May 20, 1897.	" " "
Ward, Augusta M.	65 "	June 2, 1899.	Little Wood River.
" " "	40 "	June 2, 1882.	" " "
Wardrop, John	120 "	Nov. 30, 1882.	Soldier Creek.
" "	125 "	June 1, 1885.	" "
" "	160 "	Apr. 1, 1900.	" "



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JUNE 5, 1995

CITY OF GOODING
308 5TH AVE W
GOODING ID 83330

Transfer of Water Right Nos. 37-00271A/37-00282/37-00662

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water rights (Transfer No. 4576). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

MICROFILMED

JUN 07 1995

MEMORANDUM

TO: FILE 37-00662
FROM: PAM SKAGGS
RE: TRANSFER # 4576
DATE: 4/4/95

=====

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 37-00271.

RECEIVED

JUN 07 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 4, 1993

CITY OF GOODING
PO BOX 176
GOODING ID 83330-0176

RE: Approved Transfer No. 3867/Water Right No(s). 37-
00662/00271A/00282

Dear Water Right Holder:

On January 2, 1992, the Department approved an application for transfer of the above referenced water right(s). A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 15 days of the date of this letter. If you wish to return the form by FAX, the number is (208)327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,

Cindy Zimmerman
for SHARLA CURTIS
Sr. Water Resource Agent

Enclosure

RECEIVED
JUN 07 1993

JUN 07 1993

January 6, 1992

City of Gooding
P.O. Box 176
Gooding, ID 83330

RE: Transfer of Water Right Nos. 37-00662 / 37-00271A
37-00282

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Transfer No. 3867). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

RECEIVED
JAN 22 1992

MEMORANDUM

TO: FILE

FROM: TIM LUKE *TL*

DATE: December 24, 1991

RE: TRANSFER 3867/RT. NO.S 37-0662, 37-0271A & 37-0282
=====

This transfer proposes a change in the point of diversion only for all three rights above. The three rights have shared a common point of diversion. This diversion point will be moved to avoid seepage losses.

The transfer also corrects and updates the place of use description for the above rights consistent with what has been claimed in the SRBA. According to the SRBA claims, the place of use description is that land and acreage within the Gooding city ditch system and not actually the total number of acres irrigated. The decreed rights place of use can be updated pursuant to the SRBA claim, but a condition should be added that the place of use has not been confirmed.

Approval of the transfer is recommended with the conditions below.

- 1) <<R04>> Use of water under this water right is subject to control by the watermaster of State Water District No. 37-M, Little Wood River & Silver Creek.
- 2) <<R39>> A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
- 3) The maximum combined rate of diversion under these rights shall not exceed 2.736 cfs.
- 4) <<R29>> This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
- 5) Approval of this transfer does not confirm the total number of irrigated acres claimed above.
- 6) <<T07>> The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- 7) <<T08>> Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- 8) <<T09>> Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

DEC 29 1992

BRENDA;

12-24

- TRANSPR

T-Files created by
Region, notified by
me on 12-24.

Tim

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: GLF

1. Right number 37-00662, 00271A, 00282 Applicant City of Gooding

2. Type of right: ☒ Decree ☐ License ☐ Claim

3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

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 = 10' add. P.d.

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) 37-0709 - 0960, 0262 A37-00662

j. ☐ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 37-

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 10/28/91 Received on 11/19/91

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* 01S, 05<37M, Little Wood R. & Silver ct>
Subject to Findings in SRBA

4. By Laren O'Hallum Date 12/16/91

DEC 17 1991

Department of Water Resources

RECEIVED

NOV 19 1991

Department of Water Resources
Southern Region Office

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 3867

RECOMMENDATION OF WATERMASTER

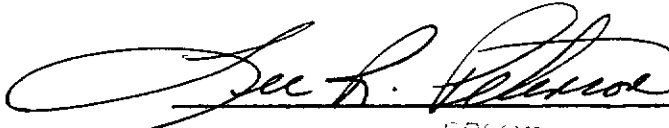
I, Lee R. Peterson, watermaster of Big Wood, Little Wood, Rivers & Silver Creek
of Water District No. 37-37M, County of Gooding, State of Idaho,
whose address is P.O. Box T, Shoshone, Idaho 83352
have read the attached copy of the application for transfer of water right for _____
City of Gooding, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: That the planned measuring devices and control
box be installed prior to this water being delivered.

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Shoshone, Idaho, this 18 day of November 1991.


(signature)

RECORDED
INDEXED

JAN 22 1992

Please use reverse side if needed.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NOS. 37-00662, A37-00662, 37-00271A, A37-00271A, 37-00282,
A37-00282

Notice is hereby given that the City of Gooding has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water right no. 37-00662, Transfer No. 729
Basis of right: Decreed to City of Gooding in case of S.C. Frost et al vs Alturas Water Company et al dated 12-13-1909 in Fourth District, Lincoln County.
Source: Little Wood River tributary to Malad River
Priority Date: 6-15-1885
Amount of water: 1.42 cfs Use: irrigation & domestic
Point(s) of diversion: SW1/4NW1/4, S3, T6S, R15E; Gooding County.
Place of use: Unspecified acres within City of Gooding, Gooding County.

WATER RIGHT AS RECORDED

Water right no. 37-00271A
Basis of right: Decreed to Fred W. Gooding in case of S.C. Frost et al vs. Alturas Water Co. et al dated 12-13-1909 in Fourth District Court, Lincoln County.
Source: Little Wood River tributary to Malad River
Priority Date: 6-30-1882
Amount of water: .316 cfs Use: irrigation
Point(s) of diversion: SW1/4NW1/4, S3, T6S, R15E; Gooding County.
Place of use: Unspecified acres within City of Gooding, Gooding County.

WATER RIGHT AS RECORDED

Water right no. 37-00282
Basis of right: Decreed to Thomas H. Gooding in case of S.C. Frost et al vs. Alturas Water Company et al dated 12-13-1909 in Fourth District Court, Lincoln County.
Source: Little Wood River tributary to Malad River
Priority Date: 4-1-1877
Amount of water: 1.0 cfs Use: irrigation
Point(s) of diversion: SW1/4NW1/4, S3, T6S, R15E; Gooding County.
Place of use: Unspecified acres within SE1/4NW1/4, E1/2SW1/4, W1/2SE1/4, S32, T5S, R15E; N1/2SW1/4, S1, T6S, R15E; N1/2SW1/4, SE1/4, S2, T6S, R15E; Lot 3 (NE1/4NW1/4), SE1/4NW1/4, NE1/4SW1/4,

JAN 22 1992

City of Gooding 1

S5, T6S, R15E; Lot 3 (NE1/4NW1/4), Lot 4 (NW1/4NW1/4), Lot 5 (SW1/4NW1/4), SE1/4NW1/4, S6, T6S, R15E; Gooding County.

WATER RIGHT NO. 37-00662 & ADJUDICATION CLAIM NO. A37-00662 TO BE CHANGED AS FOLLOWS:

Water right No.: 37-00662 Amount: 1.42 cfs

WATER RIGHT NO. 37-00271A & ADJUDICATION CLAIM NO. A37-00271A TO BE CHANGED AS FOLLOWS:

Water right No.: 37-00271A Amount: .316 cfs

WATER RIGHT NO. 37-00282 & ADJUDICATION CLAIM NO. A37-00282 TO BE CHANGED AS FOLLOWS:

Water right No.: 37-00282 Amount: 1.0 cfs

Total amount being transferred: 2.736 cfs

Source: Little Wood River tributary to Malad River
Point of diversion: SE1/4SE1/4SW1/4, S32, T5S, R15E; Gooding County.

Place of use: 330.9 acres within SE1/4, S31, T5S, R15E; SW1/4, S32, T5S, R15E; W1/2SE1/4, S32, T5S, R15E; NW1/4NW1/4, S5, T6S, R15E; N1/2NE1/4, S6, T6S, R15E; Gooding County.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before November 25, 1991.

R. Keith Higginson, Director

Published in Gooding County Leader on 11/06/91 & 11/13/91.

RECEIVED

JAN 22 1992

City of Gooding 2



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

28-Oct-1991

R. KEITH HIGGINSON
Director

GOODING COUNTY LEADER
PO BOX 56
GOODING ID 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

JAN 22 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

28-Oct-1991

R. KEITH HIGGINSON
Director

MAYOR GENE HELLER
CITY OF GOODING
PO BOX 176
GOODING ID 83330

Re: Application for Transfer Nos. 37-00662, A37-00662, 37-00271A,
A37-00271A, 37-00282, A37-00282

Dear Mayor Heller:

The Department of Water Resources acknowledges receipt of your
Application for Transfer.

This office will be advertising the application in the Gooding County
Leader on 11/06/91 and 11/13/91. 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.

The department's review process may have to include field
investigation and verification of the claims which is required as part
of the Snake River Basin Adjudication.

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.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

RECORDED

JAN 2 2 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

18-Oct-1991

R. KEITH HIGGINSON
Director

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Application for Transfer of Water Right Nos. 37-00662,
A37-00662, 37-00271A, A37-00271A, 37-00282, A37-00282

Dear Mr. Peterson:

Enclosed is a copy of an Application for Transfer of a Water Right within your District, and Watermaster's Recommendation Form.

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form and return it to this office.

Processing of the application can be completed in 20 days, therefore, your prompt response to this request will be appreciated.

If you have any questions about the application, please contact this office or the applicant.

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

Enclosures

JAN 22 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Cecil D. Hobdey
P. O. Box 176
Gooding, ID
83330

January 24, 1991

Dear Mr. Hobdey;

In answer to your inquiry concerning the proposed water transfer for the city of Gooding, the transfer is still in staff review in this office. Once staff review is completed, the transfer will be advertised in the Gooding County Leader. The City will be notified when the advertising will occur. We will do our best to process their transfer request in a timely manner.

If you have further questions, please feel free to contact this office.

Sincerely,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

RECEIVED
JAN 22 1992

LAW OFFICES
HOBDEY & HOBDEY
125 FIFTH AVENUE WEST
P.O. BOX 176
GOODING, IDAHO 83330

CECIL D. HOBDEY
CRAIG D. HOBDEY

TELEPHONE
(208) 934-4429

January 23, 1991

RECEIVED

JAN 24 1991

Department of Water Resources
Southern Region Office

Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

ATTN: James E. Stanton

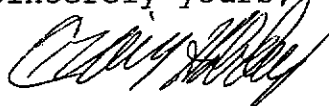
RE: Change in point of diversion for City of Gooding

Dear Mr. Stanton:

Please advise on the status of the Application for Change of Point of Diversion for water rights, filed by the City on or about November 28, 1990. The City needs to know whether or not they can begin preparing to divert from the new point of diversion.

I can see no reason why this point of diversion should not be changed. Therefore I would hope that you could expedite the approval.

Sincerely yours,



Craig D. Hobdey
Gooding City Attorney

CDH:bj

MICROFILMED

JAN 22 1992

LAW OFFICES

HOBDEY & HOBDEY

125 FIFTH AVENUE WEST

P.O. BOX 176

GOODING, IDAHO 83330

CECIL D. HOBDEY
CRAIG D. HOBDEY

TELEPHONE
(208) 934-4429

December 4, 1990

Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

ATTN: James E. Stanton

RE: Change in Point of Diversion for the City of Gooding

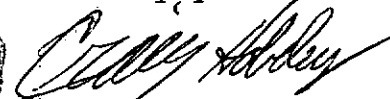
Dear Mr. Stanton:

Enclosed please find copies of Ordinance 120 enacted by the Mayor and City Council of the City of Gooding in February, 1920. The Ordinance apparently refers to the Petition which is also enclosed.

It is my understanding that Right No. 662 was transferred from John C. Turner to the City of Gooding via Transfer No. 729. However, Rights No. 00282 and 00271A from Thomas H. Gooding and Fred W. Gooding, respectively, apparently has never transferred to the City. My limited information does not provide me with a description of the land these rights were appurtenant to. Apparently these rights were appurtenant to land which is now within the corporate limits of the City of Gooding. This land has obviously been subdivided and therefore each Lot owner has a minuscule right in the water as decreed. However, it would be impossible to have such small amount of water delivered and therefore the decreed water is mixed with the Big Wood and American Falls water so that delivery is possible.

I hope this explains the situation and will alleviate any problems with either the adjudication or change of point of diversion.

Sincerely, yours,


Craig D. Hobdey

RECEIVED
JAN 22 1992

CDH:bj

Enclosures

LAW OFFICES
HOBDEY & HOBDEY
125 FIFTH AVENUE WEST
P.O. BOX 176
GOODING, IDAHO 83330

CECIL D. HOBDEY
CRAIG D. HOBDEY

TELEPHONE
(208) 934-4429

November 28, 1990

RECEIVED

NOV 29 1990

Department of Water Resources
Southern Region Office

Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

ATTN: James E. Stanton
Sr. Water Resource Agent

RE: Application for Transfer of Water Right
City of Gooding

Dear Mr. Stanton:

Enclosed please find an Application for a change of point of diversion for three (3) decreed rights. As stated in the application, the reason for the change of place of diversion is to prevent significant loss which is incurred presently as the old point of diversion is several miles away from the point of use.

In addition to these rights, the City has approximately 220 cfs of combined Magic and American Falls water which will be diverted at the new location.

I enclose a City check in the amount of \$50.00 per your instructions to cover the change in the point of diversion.

Your instructions leave several questions in my mind. Decreed right #37-00282 and adjudication claim A37-00282 should, in my mind, cover the same place of use. However, according to the proof reports the place of use is somewhat different. Please advise if this difference is significant.

Additionally, each of the proof reports on the underlying decreed rights show a place of use much larger than the actual amount of water diverted could ever possible cover. I doubt very much if the underlying decreed right was appurtenant to the place of use described in the proof.

RECEIVED

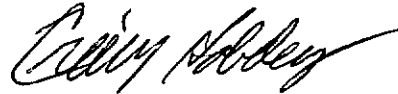
JAN 22 1992

James E. Stanton
Department of Water Resources
November 28, 1990
Page -2-

I would appreciate it if you could explain these discrepancies on the underlying decrees. I fully understand why the place of use on the proof for the adjudication are so large in that decreed water is mixed with Big Wood and American Falls Reservoir water.

Thank you for your assistance.

Sincerely yours,



Craig D. Hobdey

CDH:bj

Enclosures

RECEIVED

JAN 22 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

23-Nov-1990

R. KEITH HIGGINSON
Director

CRAIG D HOBDEY ATTORNEY
PO BOX 176
GOODING ID 83330

Re: Application for Transfer of Water Rights, City of
Gooding

Dear Mr. Hobdey:

Per our conversation of earlier today, we are returning the above-referenced transfer to you for correction. Proof reports of the adjudication claims and the underlying decreed rights are enclosed, as is your check #11726 for \$150.00.

The correct fee for this transfer is \$50.00. The transfer needs the notarized signature of a city official. The transfer needs to be based on both the underlying decreed rights and the SRBA claims. Basing the transfer only on the claims will not allow the watermaster to deliver your rights at the new diversion point. Corrections have been made on the Transfer Part 2s for the SRBA claims, and Part 2s have been prepared for the decreed rights. It appears that these rights cover city lands north of the Little Wood River.

If you have further questions, please feel free to contact this office.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosures

JAN 22 1992

September 20, 1948

Mr. J. Wesley Miller, Mayor
Gooding, Idaho

Dear Mr. Miller:

We enclose Certificate of Transferred Water Right No. 729 to the City of Gooding issued in accordance with your application, also Departmental Receipt No. 20888 for the \$1.00 recording fee.

A copy of this transfer is being sent to Mr. Mans H. Coffin, Intermeter, for his information.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/et

Enc.

CC: Mr. Mans H. Coffin

**NOTICE
OF PROPOSED TRANSFER OF
WATER RIGHT.**

Notice is hereby given that J. Wesley Miller for City of Gooding of Gooding, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and/or place of use of the waters of Little Wood River as follows: Amount: 1.5 cubic feet per second. Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Township 5 S., Range 19 E. Place of Use: W $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, Twp. 5 S., R. 19 E.

Transfer to

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 3, Township 6 S., Range 15 E. Place of Use: Lands comprising the City of Gooding, Idaho, including lands in Sections 31 and 32, Twp. 5 S., R. 15 E.B.M. and adjacent lands.

And that on the 20th day of August, 1948, at 10 o'clock A. M., at State House, Room 107, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

MARK R. KULP,
State Reclamation Engineer
(a6-13)

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Lincoln—ss.

Herb. H. Love, being first duly sworn, says that he is the publisher and printer of the Lincoln County Journal, a newspaper published weekly at Shoshone, Idaho, having legal publication rights within the State of Idaho, and that the notice, a true copy of which is hereto attached, was published in said newspaper for 2 consecutive weekly issues, beginning with the issue of August 6, 19 48, and ending with the issue of August 13, 19 48.

Herb. H. Love.

Subscribed and sworn to before me this

10 day of Sept, 19 48

Notary Public
Notary Public, Shoshone, Idaho.

BISSELL & BIRD

1ST. SECURITY BANK BLDG.

GOODING, IDAHO

W. G. BISSELL
BRANCH BIRD

September 14, 1948

Department of Reclamation
Boise, Idaho

Gentlemen:

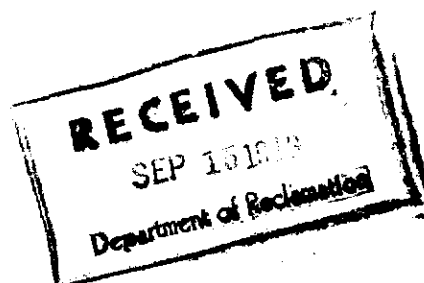
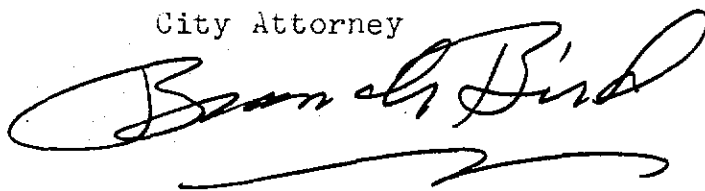
Relative to application of the City of Gooding to transfer certain Big Wood River water, we enclose affidavit of publication and one dollar bill. We understand that no opposition has been made to this transfer, and we hope a certificate can be issued and forwarded soon.

The publication bill has been paid.

Sincerely yours,

City Attorney

BB:gh



July 23, 1948

Mr. Mans H. Coffin, Watermaster,
Water Districts Nos. 7-AB and 11-AB,
Shoshone, Idaho

Dear Mr. Coffin:

Enclosed is an application for transfer
of water right by Mr. J. Wesley Miller, Mayor of
the City of Coeding.

Will you kindly fill in the Watermaster's
affidavit on page 3, as provided by statute; also
draw a sketch map on the back of said form showing
the necessary requirements, to accompany the appli-
cation.

We will appreciate this service, and an
early return of the application, for which we thank
you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

T:A
Encl.
CC to Frank G. Meserole
City Clerk, Coeding, Idaho

City of Gooding

Incorporated November 21, 1910

J. Wesley Miller, Mayor

OFFICERS

Clerk and Ex-Officio
Police Judge

HANNA BAILEY
Treasurer

City Councilmen:

A. W. WILLMS
Cemetery and Sanitation

IRA BROOKS
Irrigation and Airport

D. CLINT OAKLEY
Parks and Recreation

J. EARL SCHREIBER
Streets and Alleys

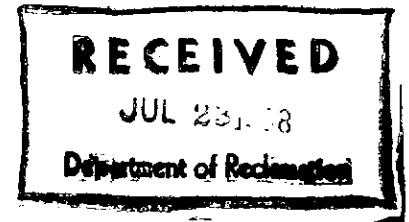
BRANCH BIRD
City Attorney

J. H. CROMWELL
City-Physician

R. T. CASADAY
Chief of Police

C. T. KNIGHT
Street Commissioner and
Water Works Superintendent

GOODING, IDAHO



July 22, 1948

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Enclosed please find application of the City of Gooding for the transfer of certain Little Wood River water from the point near Richfield to Gooding, which we hope you find to be in order.

If there is any fee for the filing of this application, or any further information is desired please advise this office.

Sincerely yours,


City Clerk

RECEIVED

August 2, 1948

Mr. J. Wesley Miller, Mayor
Gooding, Idaho

Dear Mr. Miller:

We acknowledge receipt of your application for transfer of water right from Little Wood River and have sent to the Lincoln County Journal notice of hearing to be held at 10:00 A.M., August 20, 1948, with instructions to publish it once a week for two consecutive weeks and to send you the affidavit of publication together with statement of costs.

If there is no protest certificate of transfer will be issued upon receipt of the affidavit of publication and the statutory recording fee of \$1.00.

Should there be any protests you will be duly notified before final action is taken.

Very truly yours,

MARK R. YULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RT/gt

Form No. 11-A

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise

Date ~~August 2, 1948~~

Lincoln County Journal
Shoshone, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to August 20, 1948, the date set for the hearing, the expense of the publication to be paid by the applicant, J. Wesley Miller, Gooding, Idaho

to whom you should furnish proof of publication on or prior to the date set for the hearing.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By



Supervisor of Water Distribution

Office
**NOTICE
OF PROPOSED TRANSFER OF
WATER RIGHT**

Notice is hereby given that J. Wesley Miller for City of Gooding of Gooding, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and/or place of use of the waters of Little Wood River as follows: Amount: 1.5 cubic feet per second. Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Township 5 S., Range 19 E. Place of Use: W $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, Twp. 5 S., R. 19 E.

Transfer to

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 3, Township 6 S., Range 15 E. Place of Use: Lands comprising the City of Gooding, Idaho, including lands in Sections 31 and 32, Twp. 5 S., R. 15 E.B.M. and adjacent lands.

And that on the 20th day of August, 1948, at 10 o'clock A. M., at State House, Room 107, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

MARK R. KULP,
State Reclamation Engineer

(a6-13)

Another Summons

In the District Court of the Fourth
Judicial District of the State of
Idaho, in and for the County of
Lincoln.

DEBORAH E. MLLERBERG,
Plaintiff,

—vs.—

Notice Of Proposed Transfer Of Water Right

Notice is hereby given that J. Wesley Miller for City of Gooding
of Gooding, Idaho has applied to the State Reclamation Engineer
of the State of Idaho for a certificate authorizing him to change the point of diversion
and/or place of use of the waters of Little Wood River

as follows: Amount: 1.5 cubic feet per second
Point of diversion: SW 1/4 SW 1/4, Section 5, Township 5. S.,
Range 19. E. Place of Use:
W 1/4 NE 1/4 and SW 1/4 NW 1/4 Section 7, Twp. 5. S. R. 19. E.

Transfer to

Point of diversion: SW 1/4 NW 1/4, Section 3, Township 6. S.,
Range 15. E. Place of Use:

Lands comprising the City of Gooding, Idaho, including
lands in Secs. 31 & 32, Twp. 5 S. R. 15 E B.M. and adjacent lands

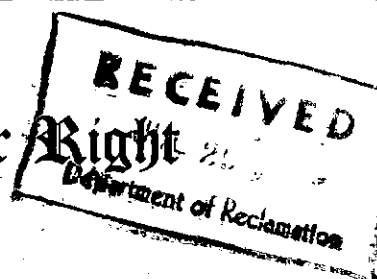
And that on the 20th day of August, 1945
at 10 o'clock A. M., at State House, Room 107 Boise, Idaho
before the State Reclamation Engineer, or his authorized agent, the opportunity will be
given to any and all persons to appear and present, for his consideration any reason or rea-
sons why a certificate should not be issued authorizing such transfer.

MARK R. KULP

State Reclamation Engineer.

RECORDED

Application for Transfer of Water Right



STATE OF IDAHO,

County of Gooding

ss.

J. Wesley Miller

, being first duly sworn, deposes and says:

That his name is J. Wesley Miller; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Gooding, Idaho, and he is acting in this instance in his official capacity as mayor of and for the City of Gooding, Idaho; that said City of Gooding ~~Thence~~ is the owner and using a certain water right, bearing date of priority of June 15th ~~1885~~, for 1 1/2 cubic feet per second of the waters of Little Wood River County of Lincoln, State of Idaho, decreed to John G. Turner by decree of Judge Alfred Budge of the Fourth Judicial District of the State of Idaho, in and for the County of Lincoln, in the case of S. C. Frost, et al., vs. Alturas Water Company, et al., said decree bearing date of Dec. 13, 1909, (or obtained by virtue of License No. _____, issued by the State Engineer or the Commissioner of Reclamation of the State of Idaho, dated _____, 19____, bearing date of priority of _____, 19____) for the purpose of irrigating the following described lands situate, lying and being in water District No. 11-AB in the County of Lincoln and State of Idaho, to-wit:

W 1/2 NE 1/4 & SE 1/4 NW 1/4, Sec. 7 Twp. 5 S. R. 19 E B M.

_____ and is the ~~person~~ (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i. e. by purchase from the former owner, Joe Garro, as per abstract of title of said water right hereto attached and made a part of this statement:

That said waters are now diverted from said stream in the SW 1/4 SW 1/4 of Section 5, Township 5 S., Range 19 E., B. M., and conducted to the above described lands through Turner ditch # 61, as per map herewith and of this affidavit made a part:

That affiant and petitioner desires to abandon the use of 1 1/2 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Gooding and State of Idaho, to-wit:
Lands comprising the City of Gooding, Idaho, including,
Lands in Secs. 31 & 32, Twp. 5 S. R. 15 E G M, and adjacent lands,

That his reasons for desiring to make such transfer are as follows:

Such water has been purchased by the City of Gooding, Idaho, and it is desired to have such water for the irrigation of the lands and for domestic use on and in connection with all lands within the corporate limits of the City of Gooding.

That said City of Gooding intends to divert and convey
said right of $1\frac{1}{2}$ cu. ft., less 5.33% transmission loss, to the tract
~~That he intends to divert and convey said~~ ~~second foot of water to the tract~~
of land last above described in the following manner, to-wit:

Via natural channel of Little Wood River,

as set forth upon the map herewith; and that no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the Commissioner of Reclamation of the State of
Idaho issue to him the proper certificate authorizing such transfer, in accordance with the provisions of Section
5582 of the Idaho Compiled Statutes.

CITY OF GOODING, a municipal corp.,
By *Samuel Miller*
(Mayor) Applicant.

Subscribed and sworn to before me this 13th day of July,
A. D. 19 48.

Notary Public.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water now diverted? Little Wood River
Where is the diversion point now located? SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5 T 5 S R 19 EBM, Lincoln County,
Through what ditch is it now conducted? Turner ditch # 61
How much land is now irrigated by the water sought to be transferred? About 95 acres.
Give the description: Irrigable portions of W $\frac{1}{2}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7 T 5 S R 19 EBM
Lincoln County, Idaho;
What is the total amount of water in inches, or second feet, dedicated to said land? $1\frac{1}{2}$ cu. ft.
What kind of crops are being raised? mostly hay and grain.
How much water per acre is now required to irrigate said land? $1\frac{1}{2}$ cu. ft.
What will be the effect on the land now irrigated, if the use of water on it is discontinued?
Will be pasture land only.

Give location of new point of diversion, if change is to be made approximately east corporate
limits City of Gooding,
Through what ditch will it be conducted after transfer? City of Gooding ditches

How much water will be required per acre to irrigate the land to which this water is transferred?
two & $\frac{1}{3}$ inches per acre, due to many small plots, etc.
and some rights are late priorities.

Do you claim any other water right for the land from which you seek to abandon the use of this water? no.

~~XXXXXXXXXXXXXXXXXXXX 28.55 shares Big Wood Canal Co; Little Wood River~~
~~rights 200' x 182' & 182' x 182' and 50' x 182' priorities~~
If so, give amount, date and source.

Is there now any other water right for the land to which you seek to make this transfer? If so, give amount,
28.55 shares Big Wood Canal Co; Little Wood River rights;
date and source. 4 of '82 & '83 rights and 1 of '87 priorities.

Signed City of Gooding, a munic. corp.
Applicant.

By

Samuel Miller
Mayor

Name of Applicant

City of Gooding

T5S, R19E

SEC. 5

SEC. 6

SEC.

SEC.

SEC.

SEC.

Little Wood River
Pt. of Diversion
Turner Ditch #1

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

Stoep Ditch No. 3

Little Wood River

SEC. 2

SEC. 3

SEC. 4

T6S, R15E

STATE OF IDAHO,

County of Gooding } ss.

Purl Massey and J. W. Leabo

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at Gooding, Idaho,
that he is a user of water from Little Wood River, in Water District No. 11-AB
County of Lincoln, Gooding, State of Idaho; that he has read or heard read the foregoing affidavit and petition of City of Gooding, Idaho, and is familiar with its allegations and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned.

Purl Massey.
J. W. Leabo

Subscribed and sworn to before me this 22nd day of July,

A. D. 1948....

Brandon Bird
Notary public, Gooding, Idaho

STATE OF IDAHO,

County of Lincoln } ss.

I, Mans H. Coffin, Watermaster of Little Wood River

Water District No. 11-AB, County of Lincoln & Gooding, State of Idaho, whose postoffice address is Shoshone, Idaho, have read or heard read the foregoing affidavit and petition of the City of Gooding, and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the Commissioner of Reclamation issue the certificate of transfer as petitioned; ~~or (do not approve of the issuance of the certificate of transfer prayed for) for the following reasons:~~

Mans H. Coffin

Watermaster Dist. No. 11-AB

Dated at Shoshone, Idaho, this 22th day of July, 1948.