



AFFIDAVIT of PUBLICATION

State of Idaho }
County of Gooding } ss.

RECEIVED

JUL 08 1999

Department of Water Resources
Southern Region

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
supplement; that the date of the first publication of said advertisement was on the

24th day of June, 1999

and that date of the last publication was on the 1st day of

July, 1999.

Patty Nance

On this 1st day of July

in the year of 1999, before me, a Notary Public, personally appeared

Patty Nance, known or identified to me to be the person
whose name subscribed to the within instrument, and being by me first duly sworn,
declared that the statements therein are true, and acknowledge to me that she executed
the same.

Norma DeVoe
Notary Public for Idaho

Residing at Jerome, Id

My commission expires: 3/6/01

7117/26833
GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X

Lines tabular at _____ 7¢/Pica

525.94 Lines straight at 31.56 6¢/Pica

525.94 Subsequent lines at 26.30 5¢/Pica

Affidavit Fee 2.25

TOTAL COST 60.11

T5472

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

COPY OF NOTICE

NOTICE OF PROPOSED CHANGE TO WATER RIGHT, T# 5472

Notice is hereby given that GARY A.
&/or TAMI GORZEMAN, PO Box 356;
Gooding ID 83330 have applied to the
Department of Water Resources to add
a point of diversion to the rights listed
below. PRESENTLY, Water Right
No. X37-08867 (0.14 cfs) with a priority
date of 11/25/1977 and Water Right No.
A37-13385 (0.30 cfs) with a priority
date of 08/07/1979 are diverted from an existing
well within SE1/4NW1/4, S01, T06S,
R15E; Gooding County for stockwater,
domestic, and commercial uses within
parts of Section 01 using the following
designated rights:

Rt No.	Use	Amt (cfs)
X37-08867	Stockwater	0.14
	Commercial	0.14
A37-13385	Stockwater	0.26
	Domestic	0.04

PROPOSED CHANGE

PUB The applicant wishes to use water as
(Idah described above and add a point of
diversion by drilling a second well
7-8 within SE1/4NW1/4, S01, T06S, R15E; 7¢/Pica
Gooding County. Any protest against 5¢/Pica
7-8 the proposed changes must be filed with
the Department of Water Resources,
7-8 Southern Region, 1341 Fillmore St., 5¢/Pica
ins Suite 200; Twin Falls, ID 83301
together with a protest fee of \$25.00 on
or before July 12, 1999 to be considered
by the Department in its decision to
grant or deny any part of the proposed
change. The protestant must also send
a copy of the protest to the applicant.
Karl J. Dreher, Director

Pub: 6/24 - 7/1 G26833

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4
Nor

Milking Barn

R
o
a
d

Animal
shelter
& Pens

Animal
building
& Pens

#A0008798
Abandoned
well

Pump
House
12' x 12'

24'

Domestic Well
Tag # D0008163

R
o
a
d

Road

Replacement well Tag # D000816B
120' to Abandoned well

Employee
Home

Employee
Home

To be only used well
until 75472 approved

Road

OWNERS Home

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DEC 09 1999

North

Pump House
12' x 12'

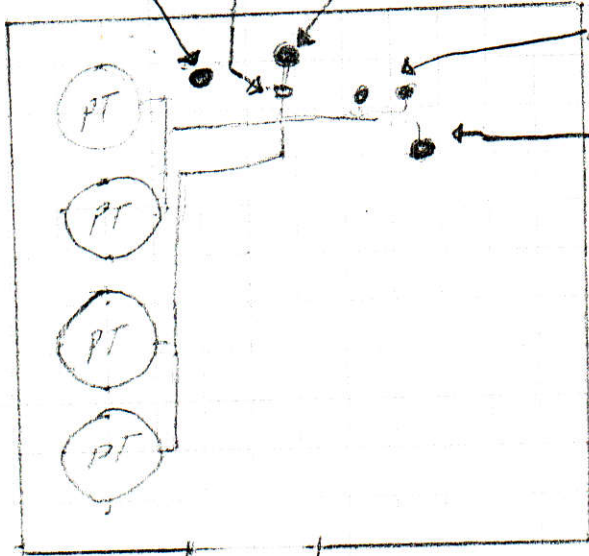
2" Pipeline incoming
from new domestic well
(not hooked up)

Flow Meter

2" Pipeline incoming from replacement well

2-1" distribution lines to
homes

1 1/2" distribution line
to barn & cowls



PT - Pressure Tanks

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DEC 09 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

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

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

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

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

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: STOCKWATER

TWN RGE SEC

06S 15E 1 SWNE SENW

PLACE OF USE: COMMERCIAL & DOMESTIC

TWN RGE SEC

06S 15E 1 SENW

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DEC 09 1999

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

CONDITIONS OF APPROVAL AND REMARKS

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

Dated this 30th day of November, 1999


Chief, Water Allocation Bureau

NOV 30 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5472

RECEIVED
MAR 19 1999
Department of Water Resources
Southern Region

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

T 5472

Name of applicant Gary A. &/or Tami Garzeman Phone 934-5115
Post Office address PO Box 356, Gooding, ID 83330

RECEIVED

A. PURPOSE OF TRANSFER

AUG 05 1999

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other

Department of Water Resources

2. Describe the reason for the proposed changes We want to add a backup well to the water system for our existing dairy

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
37-08867	11-25-1977	0.14/26.7	Stockwater	1-1 to 12-31
		0.14/1.3	Commercial	" to "
A37-13385	8-7-1977	0.26	Stockwater	" to "
		0.04	Domestic	" to "

2. Total amount of water being transferred 0.30 cubic feet per second and/or acre-feet per annum.

3. Source of water Groundwater tributary to

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	1	6S	15E	Gooding	Two wells

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	
														</					

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AUG 19 1999

Total acres

PART 1

6. General Information:

a. Description of diversion system Two wells (main well & backup well), pipelines to
stock tanks, dairy barn & two homes
3

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

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

N/A

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

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DEC 09 1999

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. X37-08867

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.14 CFS	26.7 AF
COMMERCIAL	01/01 to 12/31	0.14 CFS	1.3 AF
	Totals	0.14 CFS	28.0 AF

SOURCE

GROUNDWATER

Priority: 11/25/1977

LOCATION OF POINT(S) OF DIVERSION:SENW , Sec. 1, Township 06S, Range 15E
GOODING CountyPLACE OF USE: STOCKWATERTWN RGE SEC

06S 15E 1 SWNE SENW

PLACE OF USE: COMMERCIALTWN RGE SEC

06S 15E 1 SENW

CONDITIONS/REMARKS:

1. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. 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.
5. The proposed dairy operation under this approval shall comply with applicable zoning and use ordinances of Gooding County.
6. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

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DEC 03 1993

Water Right No. X37-08867

7. The remainder of Right No. 36-07337A is identified as 36-07337C and is limited to a diversion rate of 3.18 cfs and an annual diversion volume of 636.0 af at the field headgate, and the irrigation of 159.0 acres each year.
8. The acres which are no longer authorized for irrigation under Right No. 36-07337C are specifically described as follows: 7.0 acres within NESW, S05, T08S, R14E.
9. Rights 36-07337D and SRBA Claim A37-13385 when combined shall not exceed a total annual diversion volume of 42.6 af, subject to further modification under final recommendation of the claim.
10. Commercial use is for a dairy.

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DEC 08 1969

PART 2

TRANS NO. 5472

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. A37-13385

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
STOCKWATER	01/01 to 12/31	0.26 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.30 CFS

SOURCE

GROUNDWATER

Priority: 08/07/1979

LOCATION OF POINT(S) OF DIVERSION:SWSENW , Sec. 1, Township 06S, Range 15E
GOODING CountyPLACE OF USE: STOCKWATERTWN RGE SEC

06S 15E 1 SWNE SENW

PLACE OF USE: DOMESTICTWN RGE SEC

06S 15E 1 SENW

CONDITIONS/REMARKS:

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

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DEC 08 1999

P9687

T # 5472

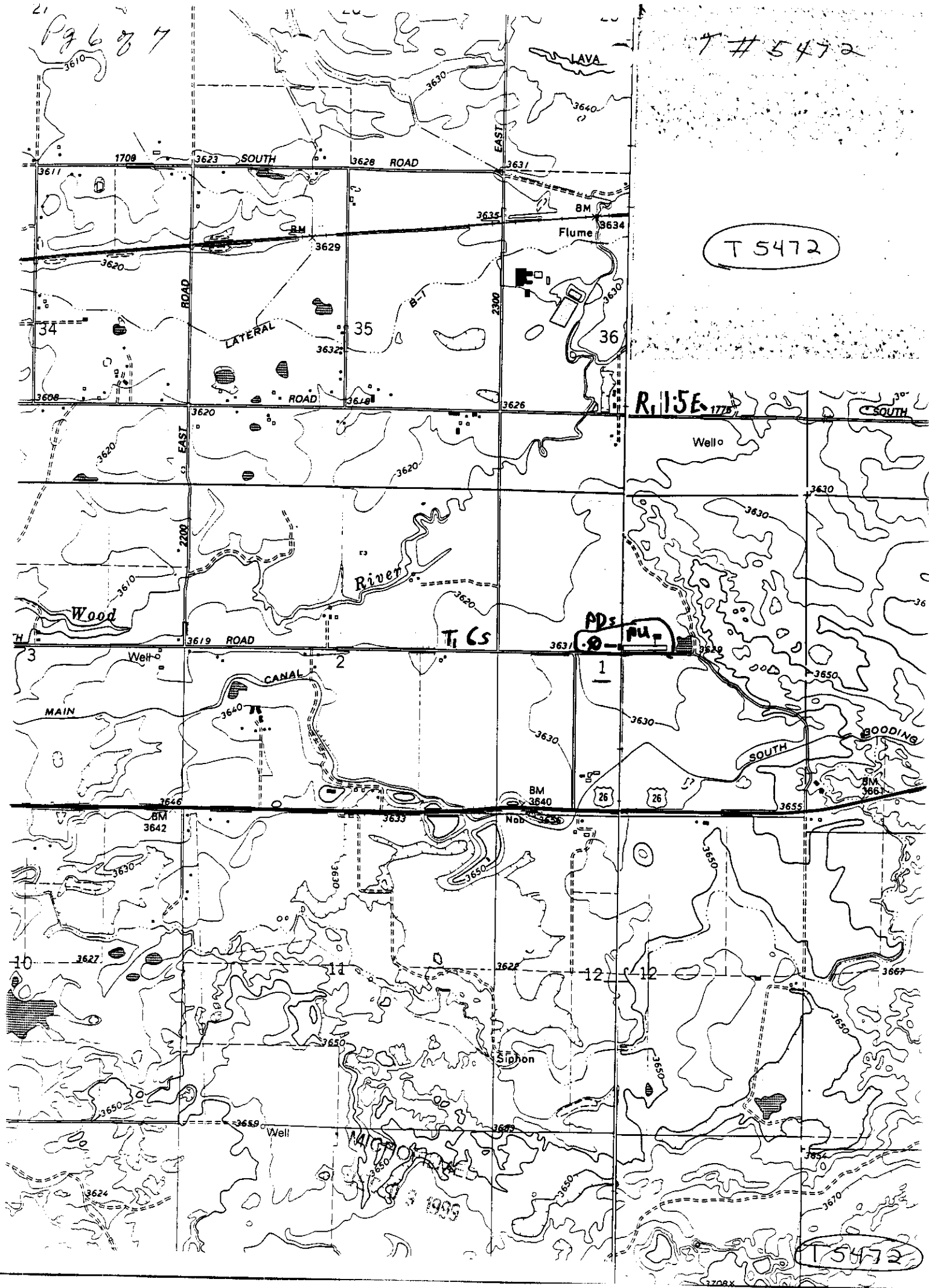
T 5472

R. 15E. 1775

T. 6S

PD: PU

T 5472



PART 3**B. CHANGES IN NATURE OF USE** No Change

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				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.

Subscribed and sworn to before me this 19th day of March, 19 99.

(Signature of Applicant)

(Notary Public)

My commission expires 10-25-2000**FOR DEPARTMENT USE ONLY**Transfer contains 7 pages and 3 attachmentsReceived by J.F. Stanton Date 3-19-99 Protest filed by NonePrelim. check by JP Fee \$100,502/906Receipted by JP Date 3-19-99Published in Gooding Co. Leader Copies of protest forwarded byPub. dates 6/24 + 7/1/99 Hearing held by DateWatermaster recommendation requested on N/A Recommended for ☒ approval ☐ denialrec'd. by APM

Copy of transfer sent to lien holder

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DEC 03 1999

2

WARRANTY DEED

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

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

Dated April 22, 1997.

Dolor Almeida
.....
DOLOR ALMEIDA

Alvina T. Almeida
.....
ALVINA T. ALMEIDA

STATE OF IDAHO)
County of Gooding.)

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

 BETTY FREDERICKSEN
NOTARY PUBLIC
STATE OF IDAHO Notary Public for Idaho
Commission Expires: 3-29-2000

Gooding County, Idaho
Commission Expires 3-29-2000

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

T # 5472

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

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

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

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

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

Thence North 220.00 feet;

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

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

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

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

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

North 89°39'17" East, 361.77 feet;

South 82°53'31" East, 209.23 feet;

North 81°52'46" East, 264.49 feet;

South 75°46'25" East, 127.08 feet;

South 82°27'32" East, 867.59 feet;

South 89°09'07" East, 355.42 feet;

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

Easterly boundary of Section 1;

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

Thence North 89°51'33" West, 3904.58 feet along the
Southerly boundary of N $\frac{1}{4}$, Section 1 to THE TRUE
POINT OF BEGINNING.

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

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

C o n t i n u e d

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SEP 8 1964

Schedule A Page 2 No. 7# 5472 85-00-425902

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

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

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

Beginning at the West quarter corner of Section 1;
Thence South 89°51'33" East, 1357.29 feet along the Southerly boundary of N $\frac{1}{2}$ Section 1 to THE TRUE POINT OF BEGINNING;

Thence North 220.00 feet;
Thence South 89°51'33" East, 400.00 feet;
Thence North 72°52'10" East, 433.48 feet;
Thence North 70°09'32" East, 499.08 feet;
Thence North 19°50'28" West, 10.00 feet;
Thence South 70°09'32" West, 499.08 feet;
Thence South 72°52'10" West, 431.45 feet;
Thence North 89°51'33" West, 408.54 feet;
Thence South 230.00 feet;
Thence South 89°51'33" East, 10.00 feet to THE TRUE POINT OF BEGINNING.

170516

STATE OF IDAHO COUNTY OF GOODING

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

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

of April 1997 9:00

By Penny Watson Deputy

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DEC 0 5 1995

Schedule A Page 3 No. 85-00-425902

RECEIVED

JUN 20 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right No(s).:

36-07337D (SEE, TRANSFER #5051)
or 37-08867

Adjudication Claim No(s).:

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.) (SEE, TRANSFER #5051 FILE)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

ALVINA & OR DOLOR ALMEIDA
1360 HWY 201 ADRIAN OR 97901-5324

4. New Owner/Claimant(s)

GARY A. GORZEMAN, TAMI J. GORZEMAN
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

P.O. BOX 356

City, State and ZIP Code

GOODING, ID 83330

New Telephone Number

(208) 934-5115

5. Date you acquired the property

04/22/97

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. ALL OF PENDING TRANSFER #5051

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

Tami J. Gorzeman

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

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APR 08 1999

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

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APR 08 1999

WARRANTY DEED

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

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

Dated April 22, 1997.

JUN 18 1997

Dolor Almeida
DOLOR ALMEIDA

Alvina T. Almeida
ALVINA T. ALMEIDA

STATE OF IDAHO)
County of Gooding.)

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



BETTY FREDERICKSEN

NOTARY PUBLIC

STATE OF IDAHO

Notary Public for Idaho

Commission Expires: 3-29-2000

Gooding County, Idaho

Commission Expires 3-29-2000

Sally

MICROFILMED

SEP 08 1998

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

Lawyers Title Insurance Corporation.

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

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

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

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

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

Thence North 220.00 feet;

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

Thence North 72°52'10" East, 433.43 feet;

Thence North 70°09'32" East, 499.06 feet;

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

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

North 89°39'17" East, 361.77 feet;

South 82°53'31" East, 209.23 feet;

North 81°52'46" East, 264.49 feet;

South 75°46'25" East, 127.08 feet;

South 82°27'32" East, 867.59 feet;

South 89°09'07" East, 355.42 feet;

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

Easterly boundary of Section 1;

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

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

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

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

Continued

MICROFILMED

Schedule A Page 2 No. 85-00-425902

APR 8 1969

ORIGINAL

Lawyer's Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

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

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

Beginning at the West quarter corner of Section 1;
Thence South 89°51'33" East, 1357.29 feet along the
Southerly boundary of N $\frac{1}{2}$ Section 1 to THE TRUE
POINT OF BEGINNING;

Thence North 220.00 feet;
Thence South 89°51'33" East, 400.00 feet;
Thence North 72°52'10" East, 433.48 feet;
Thence North 70°09'32" East, 499.08 feet;
Thence North 19°50'28" West, 10.00 feet;
Thence South 70°09'32" West, 499.08 feet;
Thence South 72°52'10" West, 431.45 feet;
Thence North 89°51'33" West, 408.54 feet;
Thence South 230.00 feet;
Thence South 89°51'33" East, 10.00 feet to THE TRUE
POINT OF BEGINNING.

170516

STATE OF IDAHO COUNTY OF GOODING

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

16 min. past 2 o'clock P.m. this 22nd
of April 1997 9:00

By Penny Watson Deputy

Schedule A Page 3 No. 85-00-425902

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ORIGINAL

APR 08 1999

AGREEMENT

1. PARTIES: AGREEMENT Made between DOLOR ALMEIDA and ALVINA T. ALMEIDA, husband and wife, the "Seller", of 2326 E 2850 S, GOODING ID 83330 and GARY A. GORZEMAN and TAMI J. GORZEMAN, husband and wife, the "Buyer", of PO BOX 532, PARMA ID 83660 on April 22, 1997.

2. RECITALS:

a. The parties have previously agreed to the purchase and sale of certain real property in Gooding County, Idaho according to a Real Estate Purchase and Sale Agreement.

b. The Sellers have entered into a separate Memorandum of Agreement to purchase seven inches of ground water from John Sandy which the parties are in the process of having transferred to the property subject to the Real Estate Purchase and Sale Agreement.

c. The Sellers and the Buyers have agreed to equally divide the cost of the water and have deposited the funds to do so in the Hobdey and Hobdey Trust Account pending completion of the transfer proceedings.

3. FAILURE OF WATER PURCHASE: If the parties shall be unable to secure the transfer of the water right from the John Sandy property to the subject property, the parties shall cooperate and make all reasonable efforts to secure seven additional inches

AGREEMENT - 1

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

of water from some other source. The parties will equally bear the expenses of securing such additional inches of water.

4. REAL ESTATE PURCHASE AND SALE AGREEMENT: All other provisions of the Real Estate Purchase and Sale Agreement will remain in full force and effect.

Dolor Almeida.....
DOLOR ALMEIDA

Alvina T. Almeida.....
ALVINA T. ALMEIDA

Gary A. Gorzeman.....
GARY A. GORZEMAN

Tami J. Gorzeman.....
TAMI J. GORZEMAN

S	Water	Name	O	Priority	STG/		Use	S
L	Right No.	Last, First	N	Date	STS	Source	Desc	S
-	37-08867		-	00/00/0000	/Z			WR
-	X37-08867	ALMEIDA, ALVINA	C	11/25/1977	L/	GROUNDWATER	STOCK	WR
-		ALMEIDA, DOLOR	C				COMMER	

(Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu)

APR 08 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5051
WATER RIGHT NO. ~~36-07337D~~
37-08867

This is to certify that: **ALVINA ALMEIDA**
DOLOR ALMEIDA
2326 E 1850 S
GOODING ID 83330

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.14 CFS	26.7 AF
COMMERCIAL	01/01 to 12/31	0.14 CFS	1.3 AF
	Totals	0.14 CFS	* 28.0 AF

SOURCE

GROUNDWATER

Priority: 11/25/1977

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: STOCKWATER

TWN RGE SEC

06S 15E 1 SWNE

SENW

PLACE OF USE: COMMERCIAL

TWN RGE SEC

06S 15E 1 SENW

CONDITIONS OF APPROVAL AND REMARKS

1. This approval does not authorize the construction of any new well or the deepening or enlargement of any existing well.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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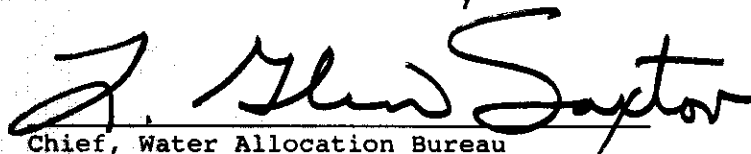
TRANSFER NO. 5051
WATER RIGHT NO. 36-07337D

CONDITIONS OF APPROVAL AND REMARKS

4. 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.
5. The proposed dairy operation under this approval shall comply with applicable zoning and use ordinances of Gooding County.
6. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
7. The remainder of Right No. 36-07337A is identified as 36-07337C and is limited to a diversion rate of 3.18 cfs, an annual diversion volume of 636.0 af at the field headgate, and irrigation of 159.0 acres each year.
8. The acres which are no longer authorized for irrigation under Right No. 36-07337C are specifically described as follows: 7.0 acres within NESW, S05, T08S, R14E.
- * 9. Rights 36-07337D and SRBA Claim A37-13385 when combined shall not exceed a total annual diversion volume of 42.6 af, subject to further modification under final recommendation of the claim.
10. Commercial use is for a dairy.

Dated this 12th day of

November, 1997.


Chief, Water Allocation Bureau

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APR 08 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 30, 1999

GARY A GORZEMAN
TAMI J GORZEMAN
PO BOX 356
GOODING ID 83330

RE: TRANSFER OF WATER RIGHTS 37-08867/A37-13385 (Transfer 5472)

Dear Mr. & Mrs. Gorzeman:

Enclosed are the copies of your approved Transfer of Water Rights for the above referenced water rights (Transfer 5472). Please be sure to thoroughly read the Conditions and Remarks listed on the transfers. Also, please be advised that the accompanying transfer approvals should be considered and treated as **preliminary orders** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfers.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Sections

JP:klt

Enclosures

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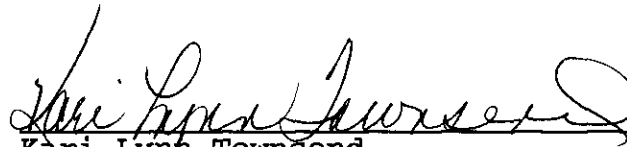
DEC 09 1999

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of November, 1999 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: TRANSFER OF WATER RIGHTS 37-08867/A37-13385 (Transfer 5472)

**GARY A GORZEMAN
TAMI J GORZEMAN
PO BOX 356
GOODING ID 83330**


Kari Lynn Townsend
Secretary

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DEC 09 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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MEMORANDUM

TO: Files 37-08867 & 37-13385

FROM: Pam Skaggs^{ed}/State Office

SUBJECT: Transfer 5472

DATE: November 22, 1999

Transfer 5472 adds a second point of diversion under Rights 37-08867 and^A 37-13385. The applicant wants add a second well to the system serving these rights to act as a backup well for the dairy.

Right 37-08867 was decreed in the SRBA as Right 36-07337A and moved to Basin 37 through previous Transfer 5051. Right 37-13385 is an SRBA beneficial use claim that has been reviewed by the adjudication staff, but has not recommended to the SRBA court at this time. Conditions from the previous transfer were continued on this approval along with the appropriate new conditions.

Recommended conditions include drilling permit requirements, measuring & annual reporting, water quality, county zoning, multiple points of diversion/measuring devices, combined right limits, SRBA review of Right A37-13385, non-confirmation of claim, not historical use, 13,000 gallon per day limit, and standard transfer conditions.

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TRANSFER REVIEW SHEET

(10-99)

Transfer # 5472

Date Reviewed 11-15-99

Right(s) 37-08867 - SRBA Partial Decree
A37-13385 - SRBA Claim

☒ WRQ/Split Summary ☒ SRBA Status ☐ Run POU Comparison Report

B:Change P/D ☒ Add P/D
 F:Change Period of Use
 I:Change P/D & P/U

D:Change P/U
 G:Other

E:Change Nature of Use
 H:Change P/D & Add P/D
 J:Add P/D & Change P/U

Proof of Ownership NA P/D change only - / SRBA Claim + change of
Warranty Deed Ownership.

Transfer ☒ All of Right ☐ Portion of Right
 Resulting Split(s) NONE

Check Transfer Against Recorded Right:

Standard Season NA to NA Standard Volume /

(1) ☒ Priority (2) ☐ Use (3) ☒ Season/W61 (4) ☐ Rate (5) ☐ Volume

(6) ☒ Source (7) ☐ P/D (8) ☒ P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) NA North Snake GW Dist./West ESPA WM Dist.
 Water District (12) Yes Pertinent Conditions (13) NA Expansion
w/limits

(2) Don use for 1 Home per SRBA Claim/3 Homes found not addressed in this transfer.

(4) Individual rates shown on app - total = .44 cfs

(5) Vol on 37-13385 - Stock/350 dairy cows = 13.7 cfs DON/1 Home = 1.2

Limited to 14.6 aka max (13,000 gpd) + 42.6 when combined w/37-08867

(7) Add 2nd P/D

Transfer Remarks Comm use for dairy
(W35)/42.6 cfs 2 P/Ds SENE, S1, 16S, 15E
(T09) for (37-13385) (N11 + 13) P/D aka Parcel # 06S15E014761 (WR4) (W58)
 Conditions D46, D67, T07, T08 (T17)

Database/Processing Notes

Standard NA Standard ☒

WR3 + WRDEL - 37-08867 Decreed rt on WR Database ✓ } Delete ✓
37-13385 to an "X" prefix on AJ Database ✓ } T's

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒

Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

Edit remarks T37-08867 when approved. ☒

28 11-24-99

SRBA

SUBCASE SUMMARY REPORT 36-07337A

Return to SRBA Home Page

SRBA
11-15-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 36-07337A FILE#: 00000
CLAIMANT: SANDY, JOHN A
STATUS: PD ISSUED
WATER SOURCE: GROUNDWATER,

****** PARTIES INVOLVED ******

JOHN A SANDY PRO SE
FLORENCE M & WILLIAM A SAN PRO SE

****** ROA ENTRIES ******

12-29-1997 PARTIAL DECREE FILED 12-29-1997
12-29-1997 CERTIFICATE OF MAILING - PARTIAL DECREE

Return to SRBA Home Page

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DEC 09 1999

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 11/15/99

TIME: 15:29:19

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY	DATE	STG/STS	SOURCE	USE DESC	SYSTEM
37-08867	GORZEMAN, TAMI J	C	11/25/1977		D/	GROUNDWATER	P DECR	WR
	GORZEMAN, GARY A	C						
T37-08867	GORZEMAN, TAMI J	C	11/25/1977		D/	GROUNDWATER	P DECR	WR
	GORZEMAN, GARY A	C						
	GORZEMAN, TAMI	C						
	GORZEMAN, GARY A	C						

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 11/15/99

TIME: 14:04:17

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
T37-13385	GORZEMAN, GARY A	C	08/07/1979	J/	GROUNDWATER	DOMEST	WR
	GORZEMAN, TAMI	C				STOCK	
A37-13385	GORZEMAN, GARY A	C	08/07/1979	J/	GROUNDWATER	DOMEST	AJ
	GORZEMAN, TAMI J	C				STOCK	
R37-13385	GORZEMAN, GARY A	C	08/07/1979	J/	GROUNDWATER	DOMEST	AJ
	GORZEMAN, TAMI J	C				STOCK	

T5472

IDWR TRANSFER ANALYSIS SHEET

APPLICANT

Greg A. & Pamela Garzon

TRANSFER NO.

5472

1. Right number(s)

37-08867-A 37-13385

2. Type of right

Decree ☐ License ☒ Statutory Claim ☐
☒ SRBA Beneficial Use Claim

3. Purpose of transfer

Change P/D ☐ Add P/D ☒ Change P/U ☐
Change N/U ☐ Change Source ☐ Split Right ☐
Other: ☐

4. Check Existing Right:

☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments: Simple addition of a second (backup) well to system.
No site visit planned.

5. Check Proposed Right for amount of land &/or water transferred:

☐ Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: N/A

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AUG 05 1999

Department of Water Resources

- i. ☒ Existing rights from same source, on land water is being transferred to; right number(s): _____

N/A

- j. ☒ SRBA claim(s) - Comments (NOTE: Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) _____

N/A

- k. ☒ Comment letters _____ Yes ☒ No
If yes _____ Water District # _____
_____ Lienholder, others, see #2
_____ below for name and address

INITIAL ALLOCATION REVIEW BY J. Stant
SRBA SUPERVISOR REVIEW BY Stallard
PUBLICATION REVIEW BY _____

DATE 4-26-99
DATE 6-4-99
DATE _____

1. Legal Notice electronically sent to DWRO3::VAULT ☒ Yes @1254 (6/11/99)

2. COMMENT LETTERS

Copy of Pg 1 to AJ

☒ Yes 6/11/99

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es): _____

3. Transfer published correctly? ☒ Yes ☐ No

4. Affidavit of publication received? ☒ Yes ☐ No

5. Protests received? ☐ Yes ☒ No; Acknowledgement sent? ☐ Yes

6. Copies made for Region file (see attached supplemental page)? ☐ Yes

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

☒ Also see attached memo for recommendation dated: 8/4/99

4. By AD~

Date 8/4/99

RECEIVED

AUG 05 1999

Department of Water Resources

FROM: Allen Merritt *AM*

DATE: August 4, 1999

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

In the Name of: Gorzeman

SUBJECT: Review and Recommendation

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

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

RECOMMENDATION

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

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

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DEC 09 1999

✓ # 5472

FILE PROGRE

Gary A Garzeman

WATER RIGHT NO. 37-8867-Q37-13385

[illegible]

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Gooding } ss.

RECEIVED

JUL 08 1999

Department of Water Resources
Southern Region

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
supplement; that the date of the first publication of said advertisement was on the

24th day of June, 1999

and that date of the last publication was on the 1st day of

July, 1999

Patty Nance

On this 1st day of July

in the year of 1999, before me, a Notary Public, personally appeared

Patty Nance, known or identified to me to be the person

whose name subscribed to the within instrument, and being by me first duly sworn,

declared that the statements therein are true, and acknowledge to me that she executed

the same.

Norma DeWae

Notary Public for Idaho

Residing at Jerome, Id

My commission expires: 3/6/01

7117/26833
GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X

Lines tabular at _____ 7¢/Pica

525.94 Lines straight at 31.56 6¢/Pica

525.94 Subsequent lines at 26.30 5¢/Pica

Affidavit Fee 2.25

TOTAL COST 60.11

75472

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

COPY OF NOTICE

NOTICE OF PROPOSED CHANGE TO WATER RIGHT NO. 13325

Notice is hereby given that GARY A.
&/or TAMM GONZALEZ, FORM 356;
Gooding ID 2020 have applied to the
Department of Water Resources to add
a point of diversion to the right listed
below. The proposed Water Right
No. X37-48867 is 1.4 cfs with a priority
date of 11/23/1977 and Water Right No.
A37-13325 is 0.36 cfs with a priority of
02/07/1979 and is located within a well
within SE1/4NW1/4, S21, T20N, R12E;
Gooding County for stockwater,
domestic, and commercial uses within
parts of Section 01 using the following
designated rights:

Rt No.	Use	Amount
X37-48867	Stockwater	0.34
	Commercial	0.14
A37-13325	Stockwater	0.26
	Domestic	0.04

PROPOSED CHANGE

PUB The applicant wishes to use water as
(Idah detailed above and add a point of
diversion by drilling a second well
within SE1/4NW1/4, S21, T20N, R12E;
Gooding County. Any protest against
the proposed change must be filed with
the Department of Water Resources,
Southern Region, 1941 Filmore St.,
Boise, Idaho 83725, ID 83725
together with a protest fee of \$25.00 on
or before July 12, 1999 as determined
by the Department in its decision to
grant or deny any part of the proposed
change. The protestant must also send
a copy of the protest to the applicant.
Karl J. Richter, Director

PUB 26833-33 26833

26833

MICROFILMED

DEC 09 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 08, 1999

Eaton Drilling & Pump Service, Inc.
PO Box 230
Wendell Id 83355

COMPLIANCE AGREEMENT

Re: Notice of Violation #026-01-S-99-01/ Eaton Drilling & Pump Service, Inc. for Gary Gorzman, 2326 East 4805 South, Gooding, Idaho 83330.

I, Larry Nielson, of Eaton Drilling & Pump Service, Inc., attended a compliance conference with the Department of Water Resources, July 08, 1999 at 11:00 A.M.: at the Southern Region Office at 1341 Fillmore Street Suite 200, Twin Falls, Idaho 83301, to discuss the above Notice of Violation.

I agree to misuse of the Start Card procedure and agree in the future to only use the Start Cards for one house single family dwellings.

I agree to a civil penalty in the amount of one hundred dollars (\$100.00) and to pay an additional two hundred and fifty dollars (\$250.00) for additional fees required.

Larry Nielson
Eaton Drilling and Pump Service, Inc.

7-8-99
Date

Allen Merritt
Southern Region Manager
Idaho Department of Water Resources

7-8-99
Date

MICROFILMED

DEC 09 1999

Drilling permit No. 37-99-S-00~~5~~ ³⁷⁻⁰⁰⁰
Water right No. 37-08867-13385

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

GARY A. GORZEMAN, Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

Well Can be used when Dairy Transfer
is Approved -

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date

7-8-98

Signature

MICROFILMED
Applicant

DEC 09 1999

Eaton Drilling & Pump Service, Inc.

P.O. Box 230
485 S. Idaho St.
Wendell, ID 83355-0230

Phone (208) 536-2223
Fax (208) 536-2024

July 07, 1999

Allen Merritt
Idaho Dept. of Water Resources
1341 Fillmore St. Suite 200
Twin Falls, Id. 83301-3380

Dear Mr. Merritt.

Our initial intent was to drill a domestic well for a one house hook up. After final approval of transferred water rights, the owner was planning on the new domestic well being used for the transfer, and then pay the additional \$125.00 for the construction permit fee.

On 5-25-99 a Start Card {tag #D0008163} was used for this purpose. Therefore, there should be no well construction permit violation. There should be no water right violation, as this is a domestic well, drilled with a proper Start Card/permit, submitted before drilling started. There should be no well construction permit fee, because at this time, it is to be used for only for domestic purposes.

Unfortunately in drilling the well mentioned above, his only well for the dairy , and homes, was partially plugged from drilling cuttings, reducing the amount of water. As fate would have it, this well was between two buildings, where we could not get the well drill on the well to clean it out. The least expensive, was to drill a replacement well.

Therefore, a well construction permit was obtained, however not the right one or the right fee. An honest mistake!! Why wasn't this problem solved with a friendly message from IDWR? It could have stated that Mr. Gorzeman, and I should come right in, and fill out the proper permit; paying the additional fee.

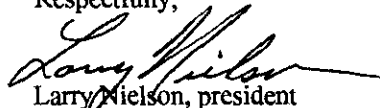
Why is there a water right violation on this well, which is a replacement well for the water right he already had with the old well?

We had no intention of doing anything illegal in well construction. My past record with the IDWR, should speak for itself. I have worked with the Idaho Ground Water Association, as a board member, and member for several years, to protect our ground water resources. I am one of a very few members, that sends all their employees to the IGWA conventions, to bring them up on information; training them through the IGWA, and IDWR to do their jobs better, and to protect our water resources.

I don't think these violation are justified, and the mistake I made, which again I stated, is unintentional. This does not justify such fines.

I have made small mistakes before, which were always corrected after being notified. Why wasn't this matter handled the same as before?

Respectfully,


Larry Nielson, president

cc:Robert E. Williams III

MICROFILMED
DEC 09 1999

4 Nov

Milking Barn

Road

Animal
shelter
& Pens

Animal
building
& Pens

A0008798

Abandoned
well

Pump
House

12' x 12'

28'

Domestic Well
Teg # 00008163

R
b
a
d

Road

● Replacement well Teg # 0000816B
120' To Abandoned well

Employee
Home

Employee
Home

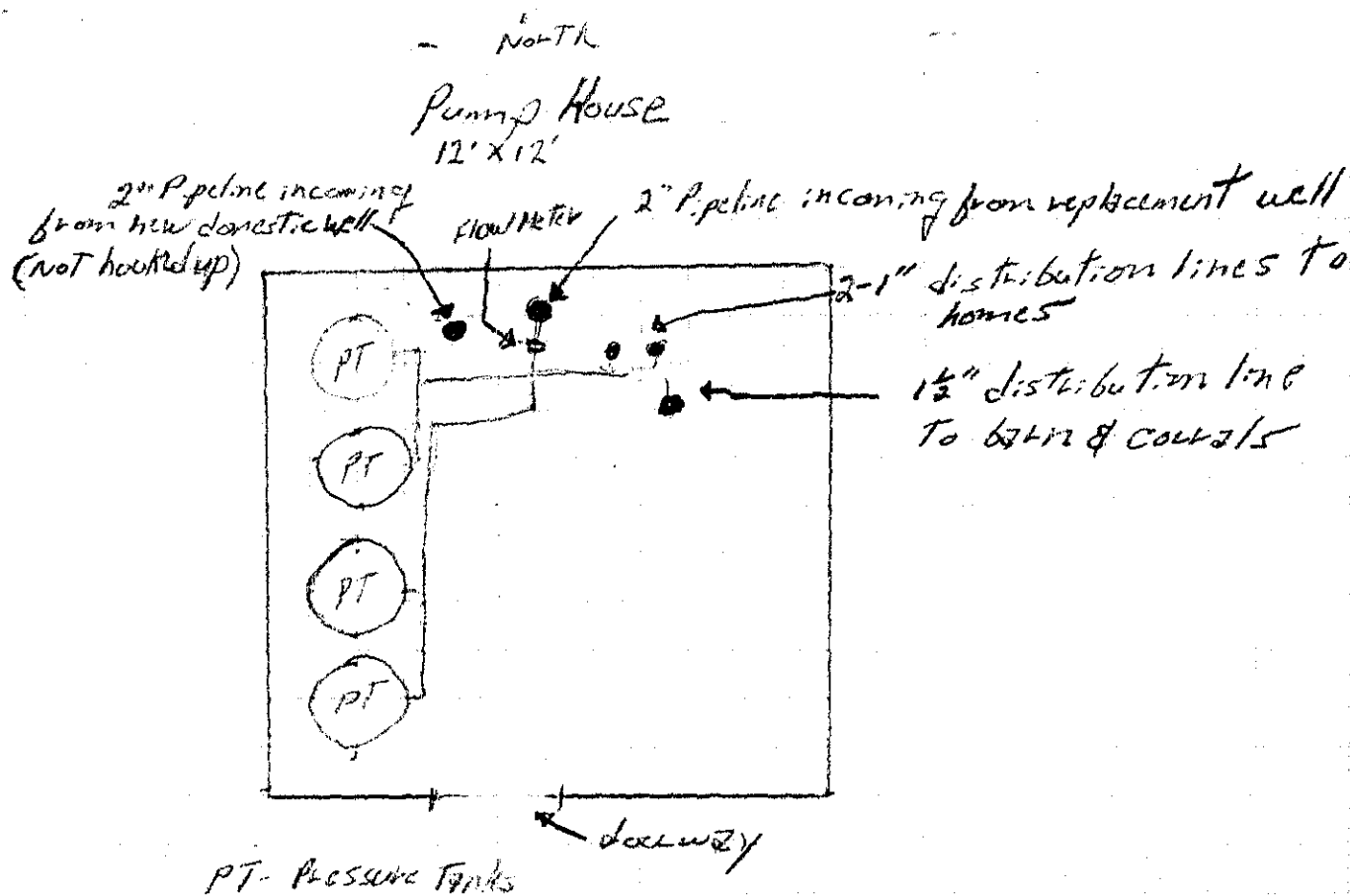
To be used until
750722 up well

Road

OWNERS Home

MICROFILMED

DEC 09 1993



MICROFILMED
DEC 09 1999

**NOTICE OF PROPOSED CHANGE
TO WATER RIGHT, T# 5472**

Notice is hereby given that GARY A. &/or TAMI GORZEMAN, PO Box 356; Gooding ID 83330 have applied to the Department of Water Resources to add a point of diversion to the rights listed below. PRESENTLY, Water Right No. X37-08867 (0.14 cfs) with a priority date of 11/25/1977 and Water Right No. A37-13385 (0.30 cfs) with a priority of 08/07/1979 are diverted from an existing well within SE1/4NW1/4, S01, T06S, R15E; Gooding County for stockwater, domestic, and commercial uses within parts of Section 01 using the following designated rights:

<u>Rt No.</u>	<u>Use</u>	<u>Amt (cfs)</u>
X37-08867	Stockwater	0.14
	Commercial	0.14

A37-13385	Stockwater	0.26
	Domestic	0.04

PROPOSED CHANGE

The applicant wishes to use water as described above and add a point of diversion by drilling a second well within SE1/4NW1/4, S01, T06S, R15E; Gooding County. Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before July 12, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Gooding County
Leader on 06/24 & 07/01/99.

MICROFILMED
DEC 09 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 11, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LEGALS DEPT
MAGIC VALLEY PUBLISHING CO
ATTN Gooding County Leader
PO BOX 468
JEROME ID 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

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
Administrative Assistant

Enclosure

MICROFILMED
DEC 09 1999

**NOTICE OF PROPOSED CHANGE TO WATER RIGHT
T# 5472**

Notice is hereby given that GARY A. GORZEMAN &/OR TAMI GORZEMAN, PO BOX 356; GOODING ID 83330 have applied to the Department of Water Resources to add a point of diversin to the rights listed below.

PRESENTLY, Water Right No. X37-08867 (0.14 cfs) with a priority date of 11/25/1977 and Water Right No. A37-13385 (0.30 cfs) with a priority of 08/07/1979 are diverted from an existing well within SE1/4NW1/4, S01, T06S, R15E; Gooding County for stockwater, domestic, and commercial uses within parts of Section 01 using the following designated rights:

<u>Right No.</u>	<u>Use</u>	<u>Amt (cfs)</u>
X37-08867	Stockwater	0.14
	Commercial	0.14
A37-13385	Stockwater	0.26
	Domestic	0.04

PROPOSED CHANGE

The applicant wishes to use water as described above and add a point of diversion by drilling a second well within SE1/4NW1/4, S01, T06S, R15E; Gooding County.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before July 12, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Gooding County Leader on 06/24 & 07/01/99.

MICROFILMED

DEC 09 1999

16/12



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 11, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GARY A GORZEMAN &/OR
TAMI GORZEMAN
PO BOX 356
GOODING ID 83330

Re: Application for Transfer No. 5472 (37-08867, A37-13385)

Dear Applicant(s):

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

This office has scheduled advertising the application in the Gooding County Leader for 06/24 and 07/01/99. 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 an 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,

James E. Stanton
Sr. Water Resource Agent

JS:MB

MICROFILMED
DEC 09 1999

TO: Karilynn Townsend

DATE: March 16, 1999

FROM: Jim Stanton

SUBJECT: Change of Ownership, X37-08867

The base right for this right was 36-07337A. Transfer 5051 split this right into X36-07337C & D in November of 1997. The D portion was renumbered X37-08867. In December of '97, 36-07337A was partially decreed; the transfer did not become part of the AJ record before the decree was issued, however. 36-07337A should have been split into C & D on the AJ side before the decree was issued. So X37-08867 is the same as 36-07337A Part.

I helped Gary Gorzeman complete the attached change of ownership on this right, and have used both numbers. AJ says that it all belongs to us now that the partial decree has been rendered, so I am sending this to you for any steps that might be needed to clarify the record. There are 2 or 3 pending transfers on 7337A that we are processing now, so we need to get this straightened out before they also come into the picture (T records are now in the database on these). Isn't this fun?

MICROFILMED

DEC 09 1999

T# 5472

RECEIVED

MAR 19 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: X36-08867 (36-07337A Part - Transfer 5051)
 Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Alvin & Dolores Almeida
2326 E 1850 S, Gooding, ID 83330

4. New Owner/Claimant(s) Gary A. & Terri Forzeman
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
 New Mailing Address PO Box 356

City, State and ZIP Code Gooding, ID 83330

New Telephone Number () 934-5115

5. Date you acquired the property 4-22-1997

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Gary A. Forzeman

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

MICROFILMED

MAR 09 1999

T #5472



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

March 30, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GARY A GORZEMAN
TAMI J GORZEMAN
PO BOX 356
GOODKING ID 83330

RE: Water Right X37-08867

Dear Mr. & Mrs. Gorzeman:

The Department is in receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED
APR 08 1999

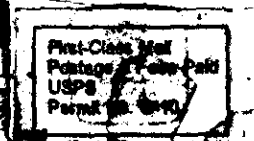
return
to sender

due 50¢

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF FINE. \$300

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

ADDRESS SERVICE REQUESTED



PS METER
8348722

U.S. POSTAGE

ALICE C. WILSON

MAR 25 1998

partmen. c

DOLOR &/OR ALVINA ALMEIDA
2326 E 1850 S
GOODING ID 8333

ALMEIDA* 833302016 1597 08 03/20/98
FORM 3547

ALMEIDA
1350 HIGHWAY 201
ADRIAN OR 97001-5324



MICROFILMED

APR 08 1999



Re: 37-08867

U.S. POSTAL SERVICE
PS FORM 3547



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 17, 1997

ALVINA ALMEIDA
DOLOR ALMEIDA
2326 E 1850 S
GOODING ID 83330

RE: Water Right 37-08867 (Transfer 5051)

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5051). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

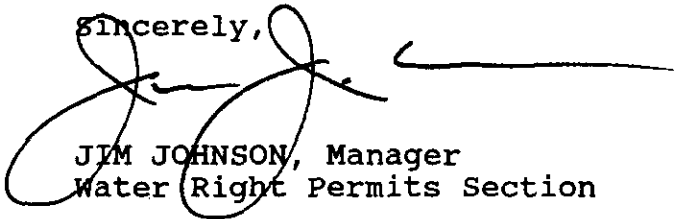
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

MICROFILMED

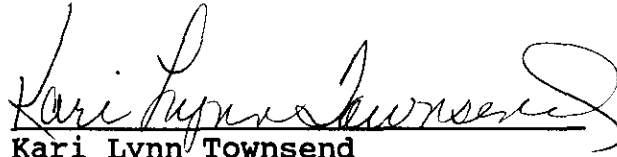
APR 08 1999

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of November, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHT 37-08867 (Transfer 5051)

ALVINA ALMEIDA
DOLOR ALMEIDA
2326 E 1850 S
GOODING ID 83330


Kari Lynn Townsend
Secretary

MICROFILMED

APR 08 1994

MEMORANDUM

TO: FILE NO. 37-08867

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: RIGHT RENUMBERED

DATE: November 14, 1997

=====

This right was originally numbered 36-07337A as recommended in the SRBA Basin 36 Director's Report. A portion of the right was moved to Basin 37 through approved Transfer No. 5051.

Right No. X36-07337D has been **renumbered to 37-08867**. The right is stored under an "X" prefix pending conclusion of the adjudication.
SEE X37-08867.

MICROFILMED

APR 08 1999

WR0749NP
No. X37-08867

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/13/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALVINA ALMEIDA	11/25/1977	STOCKWATER	01/01 12/31	0.140 CFS	26.70 AFA
C	DOLOR ALMEIDA		COMMERCIAL	01/01 12/31	0.140 CFS	1.30 AFA
	2326 E 1850 S					
	GOODING ID 83330			TOTAL DIVERSION:	0.140 CFS	28.00 AFA
	(208) 934-5990					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T06S R15E S01 SENW GOODING County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
06S	15E	1	:				S	:				S	:					:					:

Place of use Legal Description for: COMMERCIAL

06S	15E	1	:					:				C	:					:					:
-----	-----	---	---	--	--	--	--	---	--	--	--	---	---	--	--	--	--	---	--	--	--	--	---

Pou County: GOODING

Other Rights: NONE

Conditions of Approval:

- 068 - This approval does not authorize the construction of any new well
- or the deepening or enlargement of any existing well.
- T07 - The right holder shall accomplish the change authorized by this
- transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this
- transfer is cause for the Director to rescind approval of the
- transfer.
- 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.

Remarks:

The proposed dairy operation under this approval shall comply with applicable zoning and use ordinances of Gooding County. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

The remainder of Right No. 36-07337A is identified as 36-07337C and is limited to a diversion rate of 3.18 cfs and an annual diversion volume of 636.0 af at the field headgate, and the irrigation of 159.0 acres each year.

The acres which are no longer authorized for irrigation under Right No. 36-07337C are specifically described as follows: 7.0 acres within NESW, S05, T08S, R14E.

WR0749NP
No. X37-08867

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/13/97
PAGE: 2

Remarks: Rights 36-07337D and SRBA Claim A37-13385 when combined shall not exceed a total annual diversion volume of 42.6 af, subject to further modification under final recommendation of the claim. Commercial use is for a dairy.

Dates: App. Received: Priority Date: 11/25/1977
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 10/28/1992 User-ID: FRITSCHL Subject: CONDITION CODES AND STAGE
CONDITION CODE A01 WAS REMOVED AND STAGE CHANGED FROM "P" TO "L".
CONDITION CODE M04 ADDED.

Date: 04/11/1997 User-ID: SCURTIS Subject: TRANSFER 5051
Transfer 5051 was filed to add a point of diversion, change the place of use, nature & season of use for a portion of Right 36-07337A, splitting the right into parts C & D.
The transfer is based on the right as recommended in the SRBA Basin 36 Director's Report & the approved version is stored under an "X" prefix pending conclusion of the adjudication. The transferred portion was renumbered to Basin 37 when approved.

Date: 11/13/1997 User-ID: PSKAGGS Subject: Right Renumbered
This right renumbered from X36-07337D.

Audit: 11/13/97 PSKAGGS

Water Right Number - 37-08867

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
00/00/0000 17 SOUTHERN Z - SEE REMARKS

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +

Tw	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
----	-----	-----	-------	-----	------	--------	----------------	----------------	---------------

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	----------------	------------------

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

+ - - - - Place of Use - - - - - +

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
----	-----	-----	-------	-----	-------	------	-------------	--------

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

SEE X37-08867. TRANSFERRED RIGHT PER SRBA BASIN 36 REPORT.

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - 11/13/97 PSKAGGS 11/13/97 PSKAGGS 11/13/97 PSKAGGS

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 11/13/1997	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date- 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -

WR0743NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

11/13/97 09:49:26
Page 2

Water right number - 37-08867

Prefix Translation: WATER RIGHT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag-
Presumption Flag	-			