

Gooch

Amended Transfer 69348

RECEIVED
SEP 08 2003
Department of Water Resources
Southern Region



- PLSS Section LinesSections.shp
- T69348 pd.shp
- T69348 d and s pu.shp
- T69348 com pu.shp
- GCDB04S16E GCDB

MICROFILMED

OCT 20 2003

SCANNED

SEP 18 2003

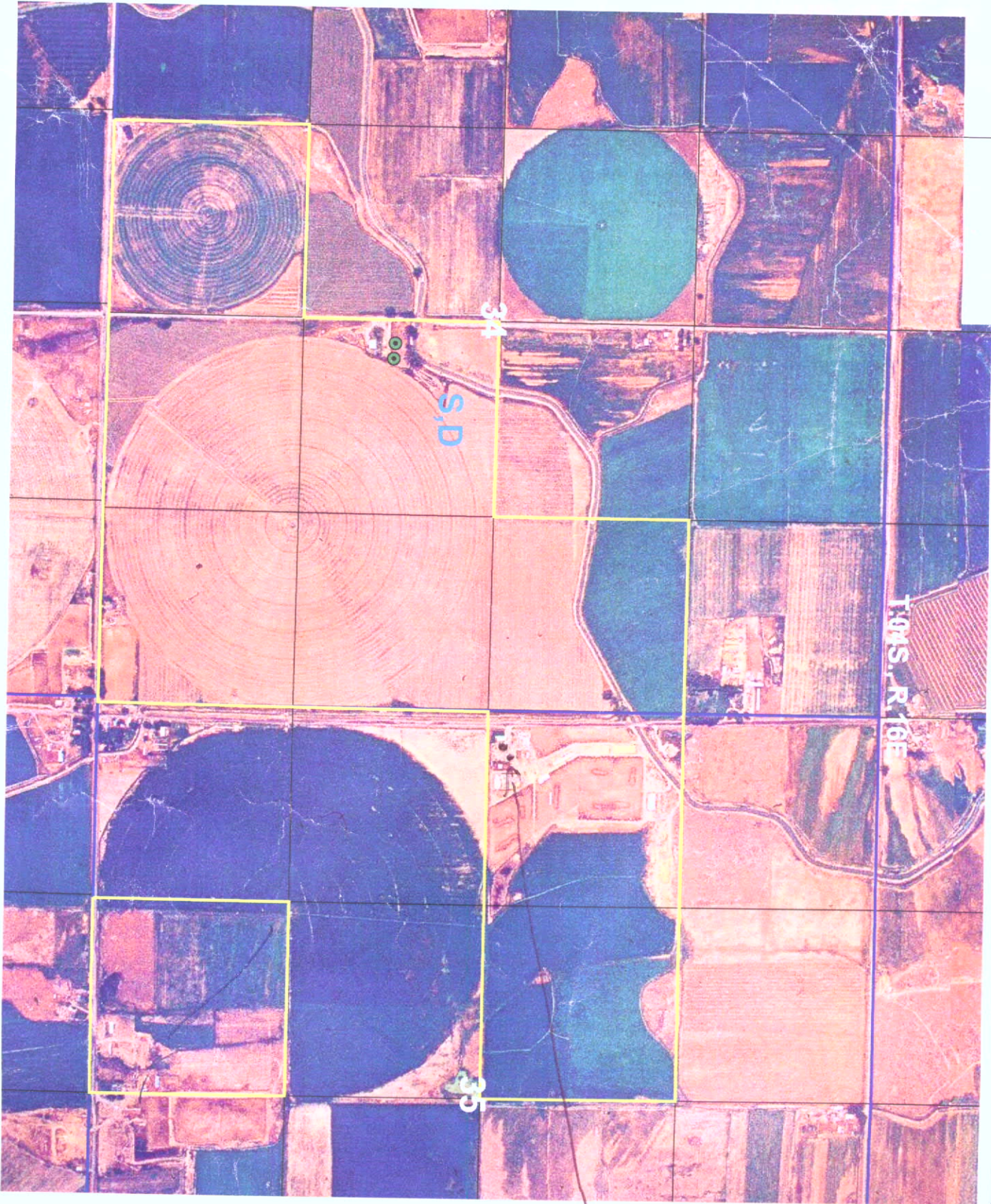
BROCKWAY ENGINEERING, PLLC.
ALR May 20, 2003

KOHTZ (GOOCH)
Water Right Transfer
Aerial Photo 2002

T # 69348

S.D 37-10224

Place of use
Section
100s/16e
40's
P.O.D (WELLS)



RECEIVED

MAY 28 2003

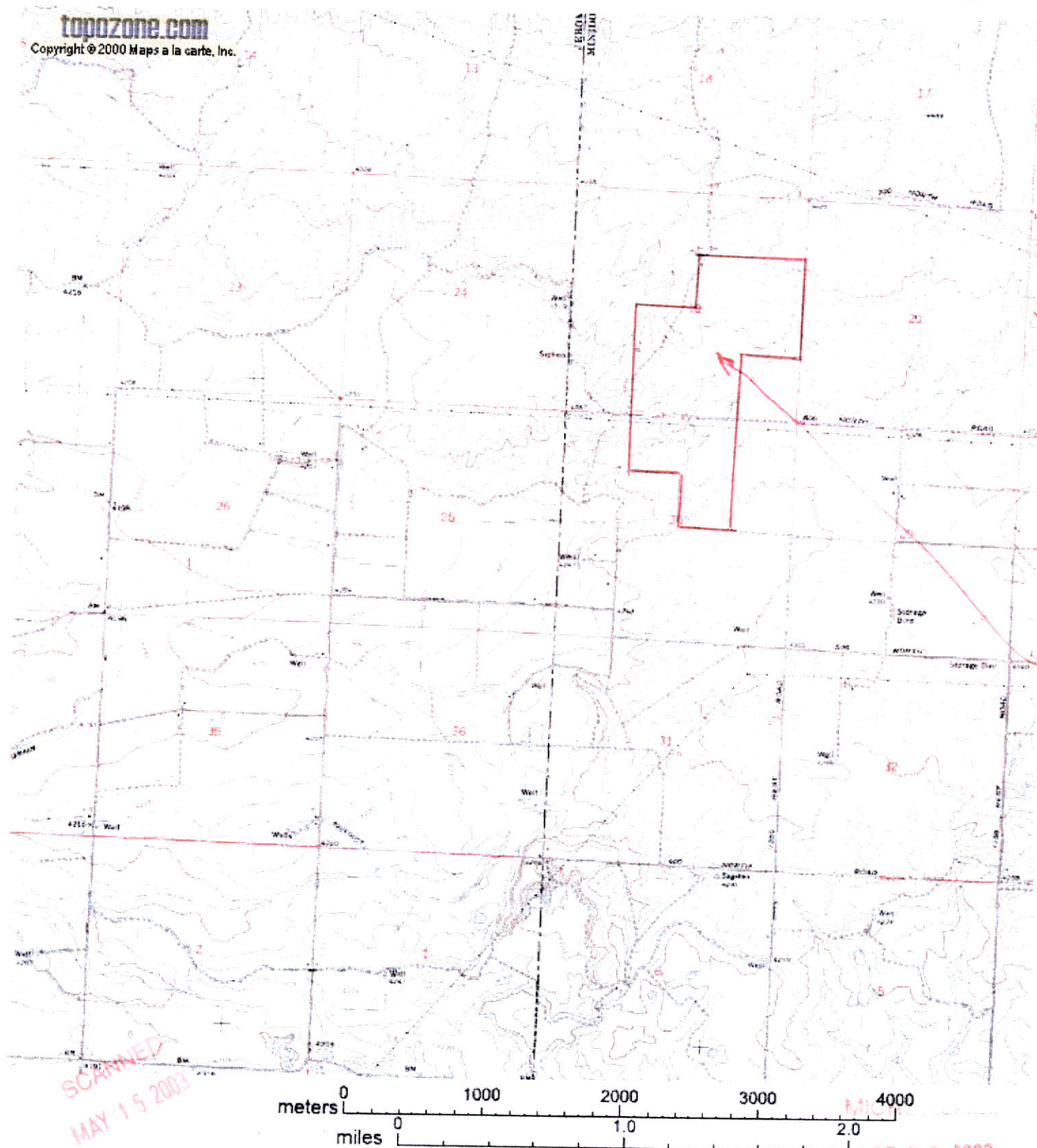
Department of Water Resources
Southern Region

SCANNED

JUN 25 2003

Wells
S.D. 37-10224
TOMS. R. 16E
34
35
36

Map center is UTM 12 261115E 4731255N - **BURLEY NW** quad [[Quad Info](#)]

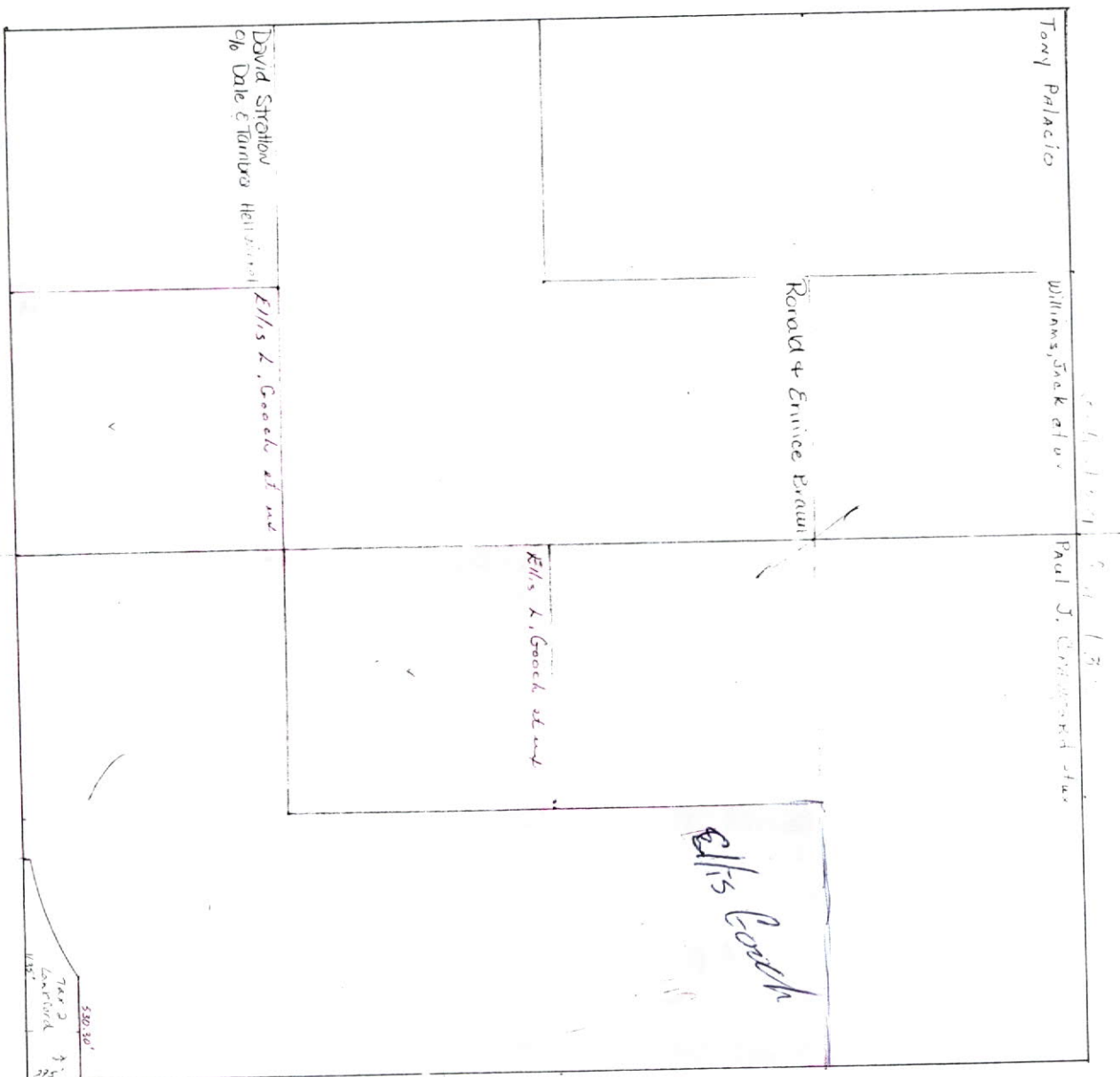


The TopoZone is produced by Maps a la carte, Inc. - © 2000 Maps a la carte, Inc. - All rights reserved. Use of this site is governed by our [Terms of Use](#). We care about your privacy - please consult our [Privacy Statement](#) for details.

*Larsen-Kohitz Property T08S R02E Sec 19, 30
T#69348*

34 Twp. 4 South of Range 6 E. B. M., Lincoln County, Idaho

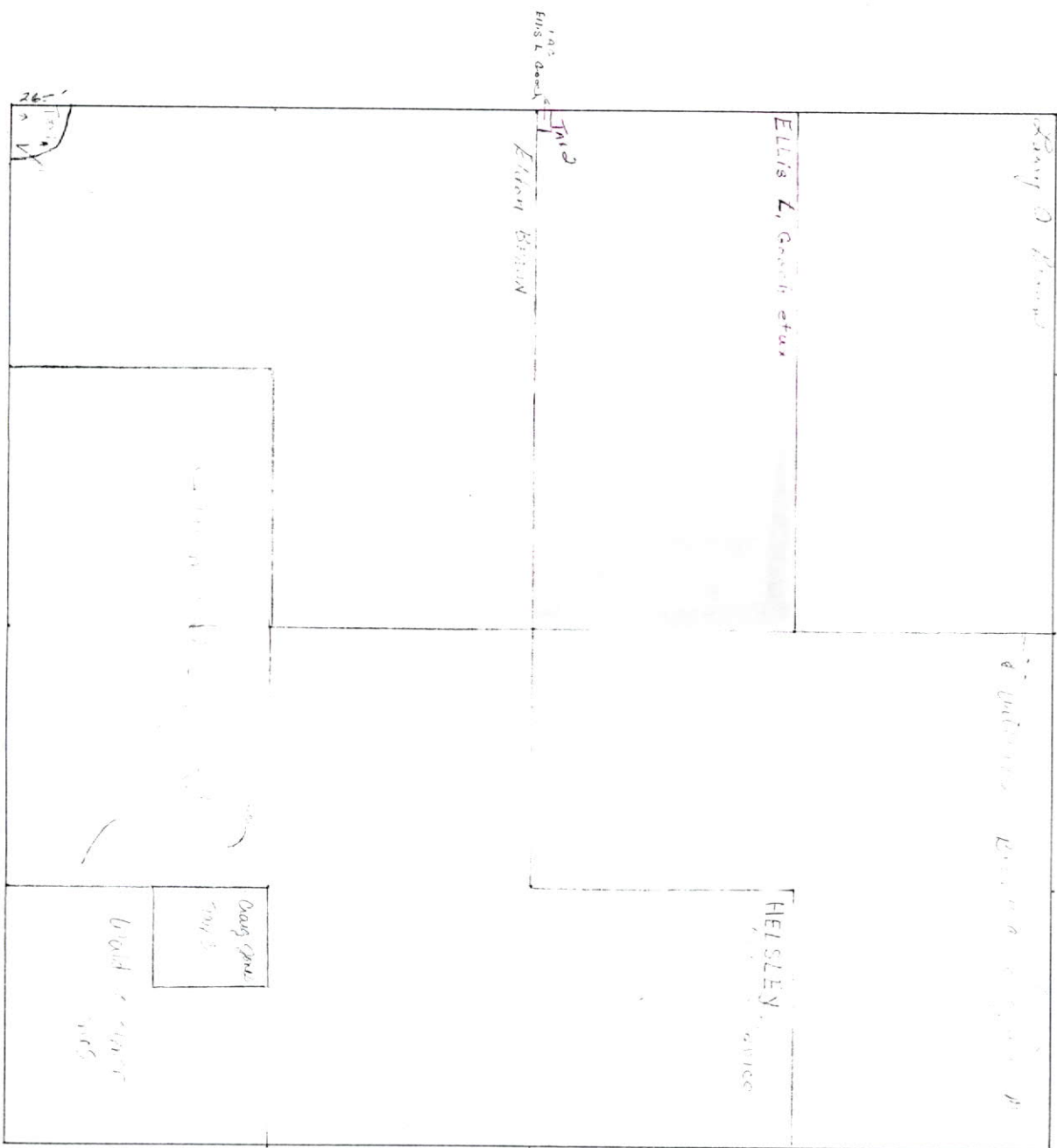
34 Twp. 4 South of Range 6 E. B. M., Lincoln County, Idaho



T#69348

Section 35 Twp. 4 South of Range 16 E. B. M., Lincoln County, Idaho

LINCOLN COUNTY, IDAHO



SCANNED
MAY 15 2003

MICRO

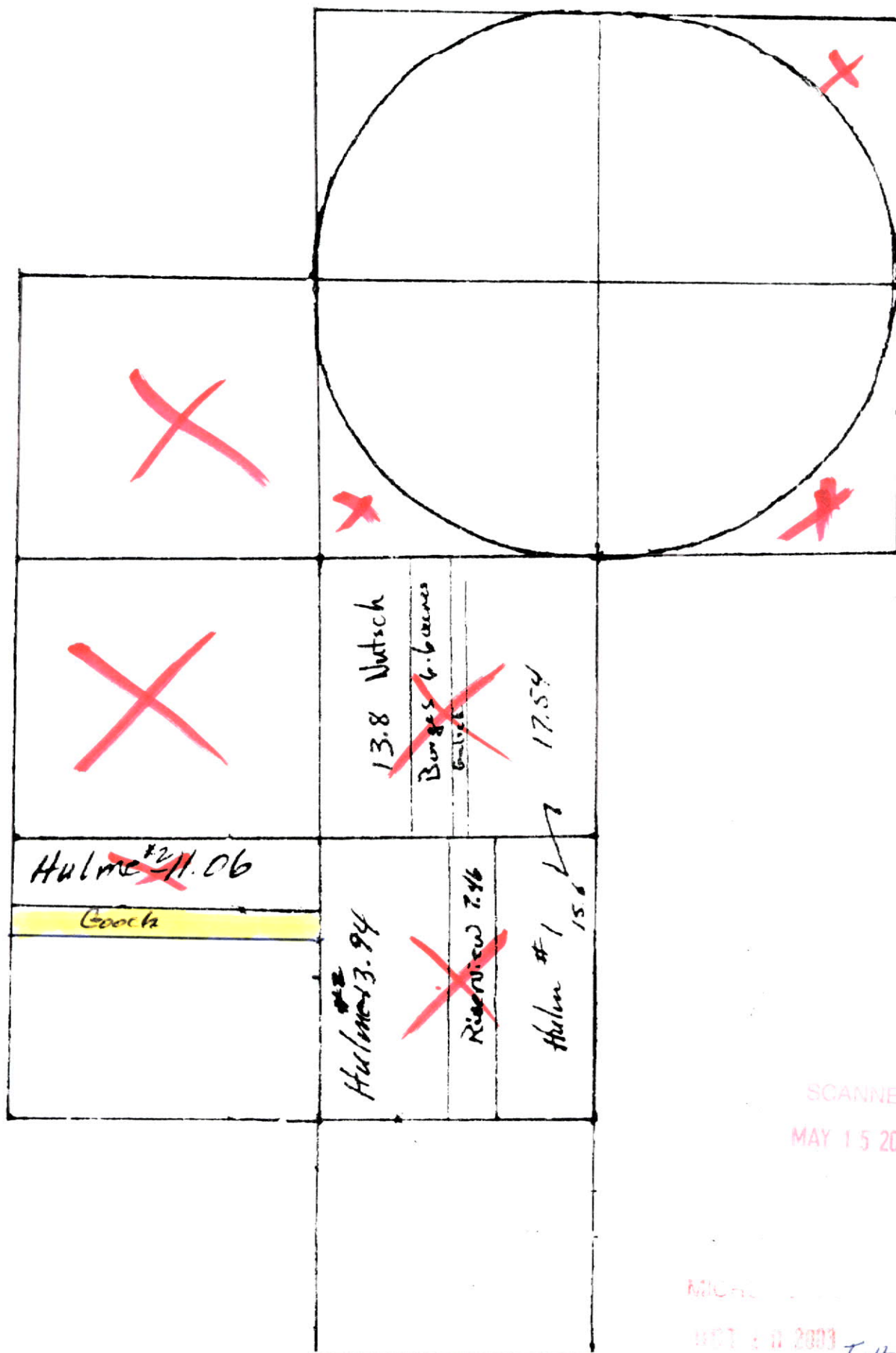
OCT 20 2003

T#69348

Transfer Log

SPN - Kohle Proj

T 085 K22E
Sec 19, Sec 30



SCANNED
MAY 15 2003

NICHE

MAY 15 2003

T # 69348

SCANNED
MAY 15 2003

9.4 x 29 = 272.6
hrs
existing plan = 311.8
af
14 29 hrs

Table 1 Proposed Pumping Schedule Mitigation Plan

TRANSFER NO 1				Mitigation Plan				Model Node			
Applicant: Gooch-Larsen				FROM:	Larsen			9	22		
Transfer # 69348				TO:	Gooch Dairy			17	12		
Acres dried up to transfer				5 acres	Larsen						
Allowed vol. transfer				2.69 af/a							
Volume Transferred:				13.5 af/year							
				4.5 af/trimester							
TRANSFER NO 2				Mitigation Plan				Model Node			
Applicant:				FROM:				0	9	22	
Transfer #				TO:				0	9	22	
Acres dried up to transfer				0 acres							
Allowed vol. transfer				4 af/a							
Volume Transferred:				0.0 af/year							
				0.0 af/trimester							
MITIGATION ACRES (if any)				Mitigation Plan				Model Node			
Additional acres dried up				acres	FROM:						
Allowed transfer				af/a							
Volume (Mitigation)				0.0 af/year							
				af/trimester							
Years				Mitigation Acres				ANNUAL PUMPING			
Begin	End	Number	Actual Af/yr	Source	Gooch Dairy Pumping af/year	Percent of Trans	Percent Reduction	Pumping af/year	Percent Reduction	Percent of Trans	Percent Reduction
2003		1		Reduced Pumping	13.5	1.00	0.00	0.0	0.00	0	1.00
2004		1		Reduced Pumping	13.5	1.00	0.00	0.0	0.00	0	1.00
2005		1		Reduced Pumping	13.5	1.00	0.00	0.0	0.00	0	1.00
2006		1		Reduced Pumping	13.5	1.00	0.00	0.0	0.00	0	1.00
2007		1		Reduced Pumping	13.5	1.00	0.00	0.0	0.00	0	1.00
2008	2012	5		Reduced Pumping	13.5	1.00	0.00	0.0	0.00	0	1.00
2013	2017	5		Reduced Pumping	13.5	1.00	0.00	0.0	0.00	0	1.00
2018	2022	5		Reduced Pumping	10.8	0.80	0.20	0.0	0.20	0	1.00
2023	2031	9		Reduced Pumping	8.9	0.66	0.34	0.0	0.34	0	1.00
2032	2042	11		Reduced Pumping	8.7	0.65	0.35	0.0	0.35	0	1.00
2043	2052	10		Reduced Pumping	9.4	0.70	0.30	0.0	0.30	0	1.00
2053	2072	20		Reduced Pumping	9.4	0.70	0.30	0.0	0.30	0	1.00
2073 >>>>				Reduced Pumping	9.4	0.70	0.30	0.0	0.30	0	1.00

Mitigation for impacts to reaches of the Snake River will be achieved by reduced pumping at the proposed place of use according to the above table..

IDAHO DEPARTMENT OF WATER RESOURCES

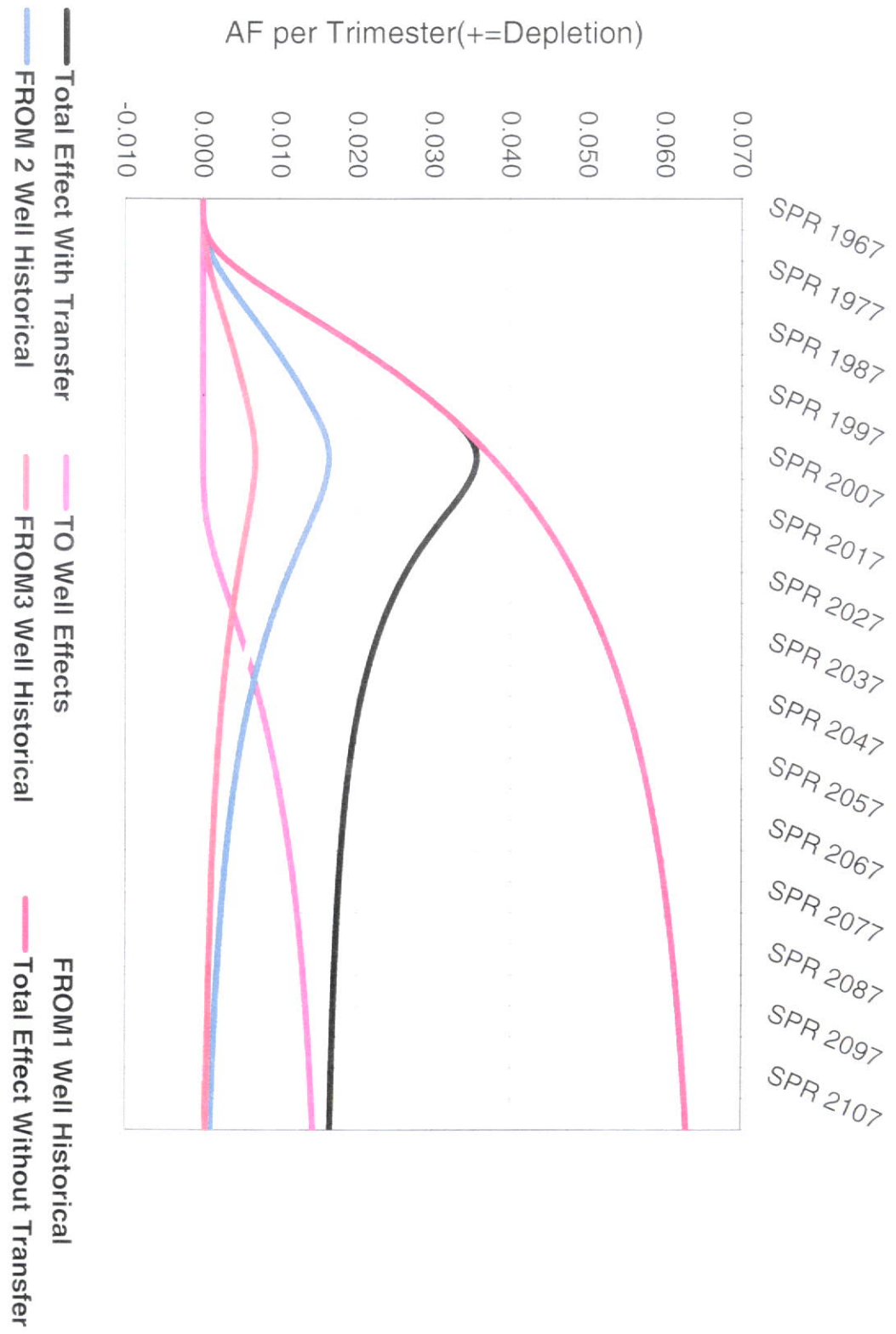
[illegible]

[illegible]

02104

[illegible]

Hydrologic Response--Heise/Ashton to Lewisville Transfer No: 69348 Applicant: Gooch-Larsen

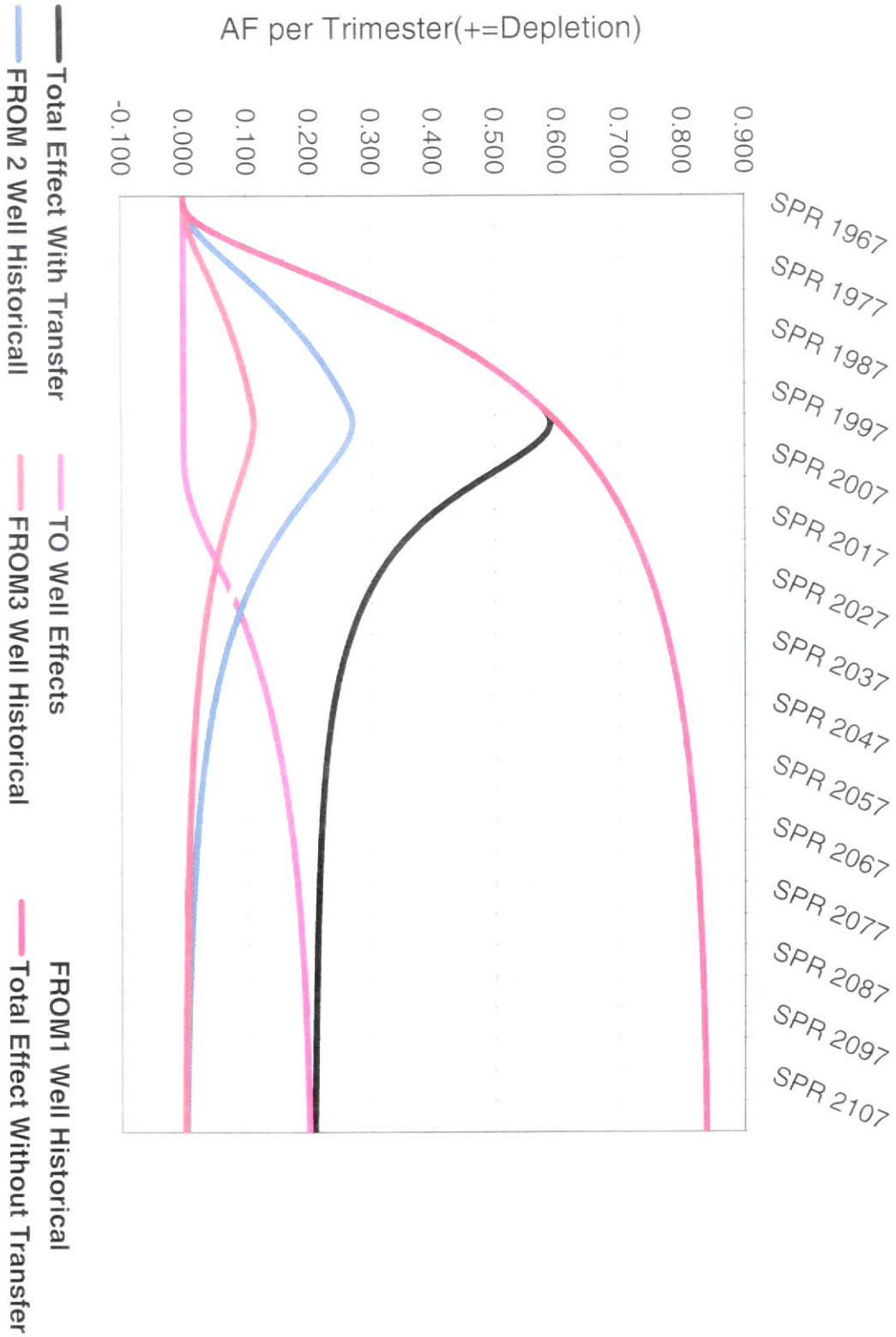


MAILED
 MAY 1 2003

MAILED
 MAY 15 2003

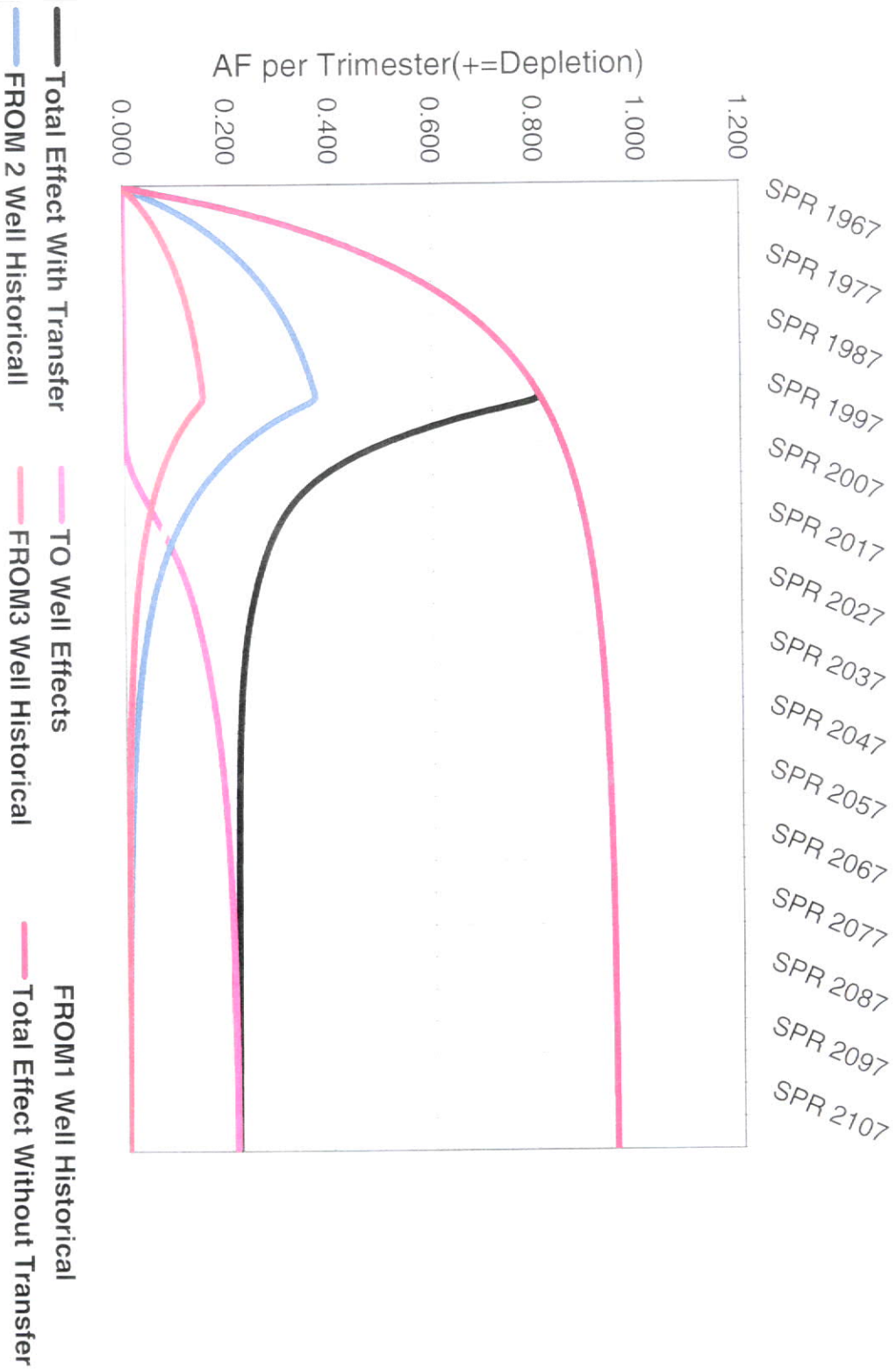
Hydrologic Response--Near Shelley to Neeley Reach

Transfer No: 69348 Applicant: Gooch-Larsen



Hydrologic Response--Neeley to Minidoka

Transfer No: 69348 Applicant: Gooch-Larsen

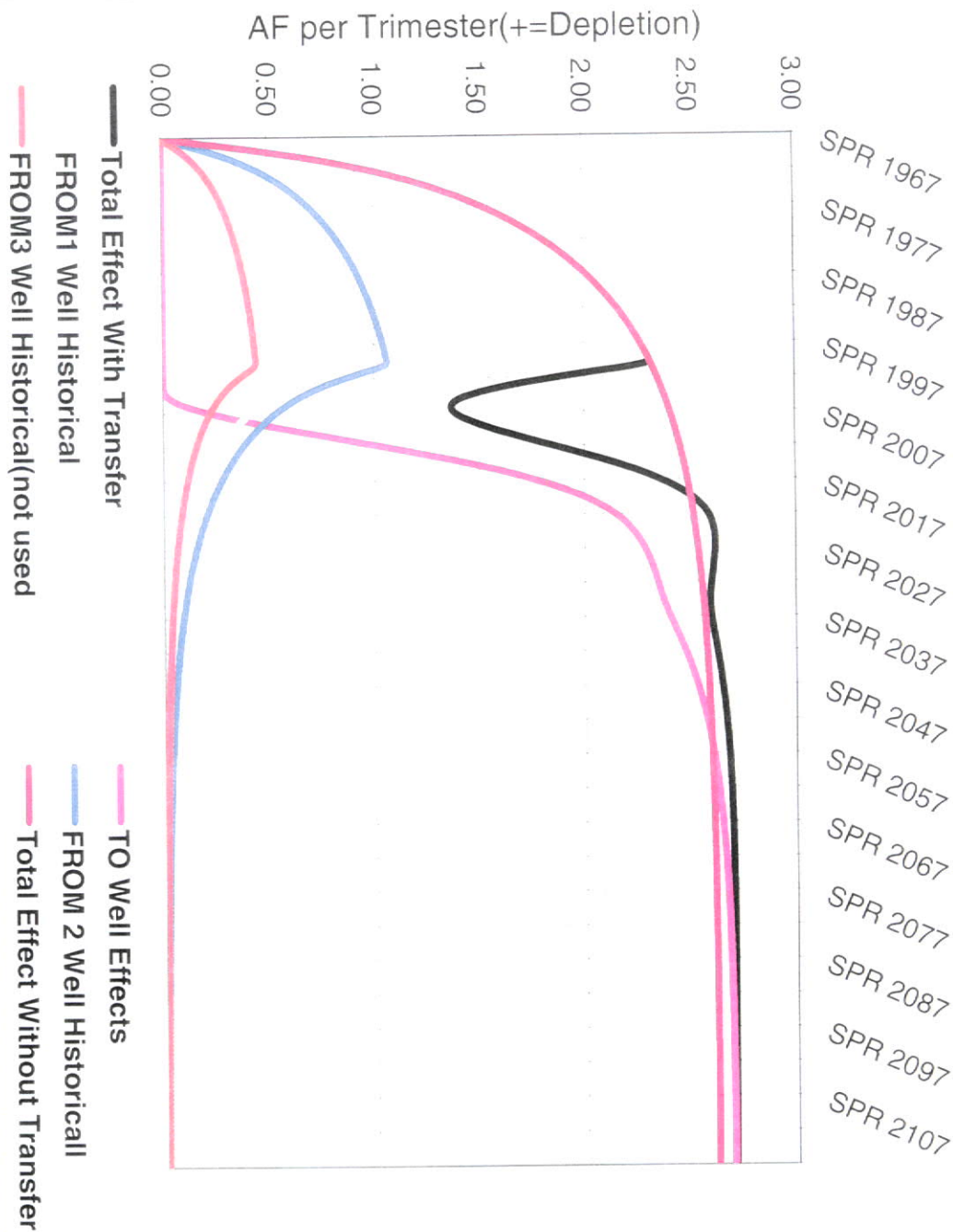


MAY 15 2003
JUL 24 2003

Hydrologic Response-- Milner to King Hill Reach

Transfer No.: 69348

Applicant: Gooch-Larsen



SCANNED

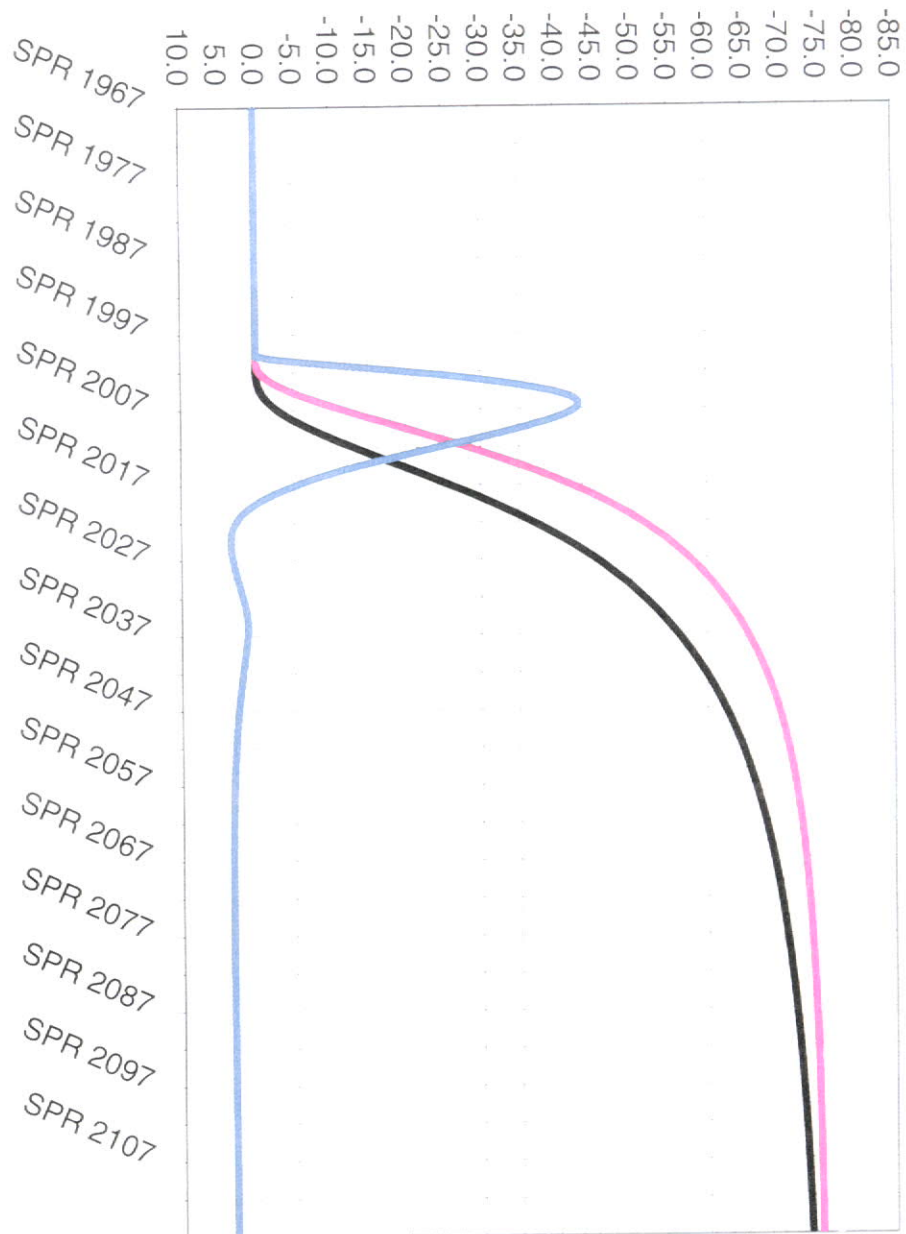
MAY 15 2003

107 2 0 3331

Percent Impact of Transfer

Net Percent Transfer Impact
Transfer No: 69348 **Applicant: Gooch-Larsen**

Heise/Ashton to Lewisville Near Shelley to Neeley Neeley to Minidoka Milner to King Hill

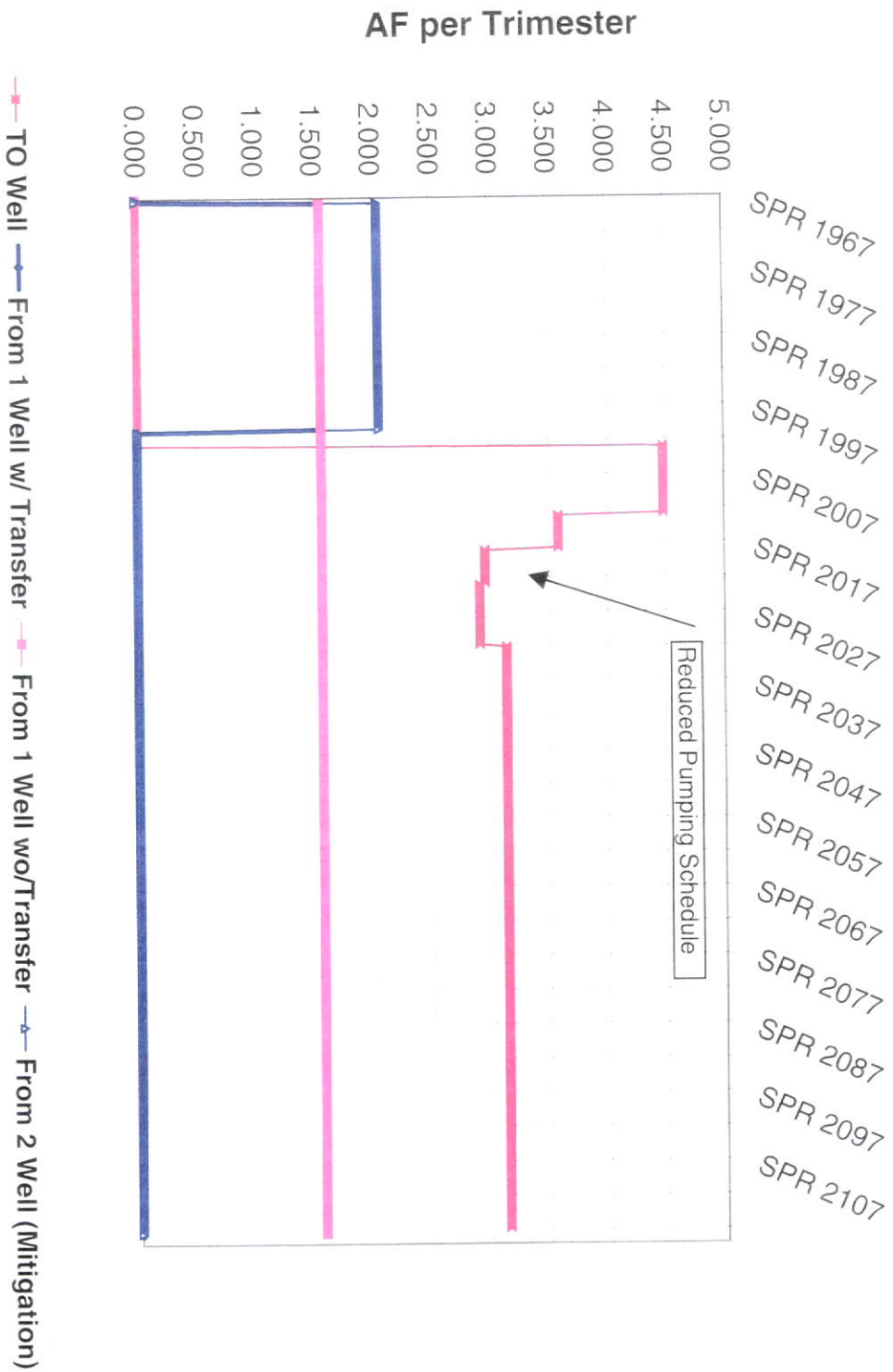


SCANNED

MAY 15 2003

FILED
 MAY 15 2003

Pumping and Mitigation Schedule **Transfer No69348** **Applicant: Gooch-Larsen**



SCANNED

MAY 15 2003

OCT 10 2003

AFFIDAVIT of PUBLICATION

COPY OF NOTICE

(Paste Here)

Gooch # 69348

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that several application(s) for transfer have been filed with the Idaho Department of Water Resources for changes to water rights from ground water currently associated with irrigation of 372 acres in Minidoka County located 7 miles North and 7 miles West of Paul, Idaho. The water rights to these lands are being sold and proposed to be moved to the following sites by the transfer listed below:

ELLIS & BEATRICE JO GOOCH, 670 N 650 W; SHOSHONE ID 83352 filed application No. 69348 on 6/29/01 for the purpose of providing water to a heifer operation located 7 miles North and 7 miles West of Shoshone. The transfer combines an existing right at the site with 5 acres worth of purchased water for a combined total of 0.12 cfs to be diverted from one existing well and one new well.

For specific details regarding the application, please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications." Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before October 15, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

PUB: 9/27 - 10/4

L38392

SCANNED

MAY 15 2003

RECEIVED

OCT 09 2001

Department of Water Resources
Southern Region

State of Idaho } ss.
County of Lincoln

Norma DeVoe, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, 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 27th day of September, 2001, and the date of the last publication was on the 4th day of October, 2001.

Norma DeVoe

On this 4th day of October, in the year of 2001, before me, a Notary Public, personally appeared Norma DeVoe, 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 acknowledged to me that he/she executed the same.

SHELLEY STURGEON
Notary Public
State of Idaho

Shelley Sturgeon
Notary Public for Idaho

Residing at Jerome

My commission expires: 12/3/05

7084/38392

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

Lines tabular at _____ 8.0¢/Pica

513.56 Lines straight at 35.95 7.0¢/Pica

513.56 Subsequent lines at 30.81 6.0¢/Pica

Affidavit Fee: 2.50

TOTAL COST 69.26

MICHC

OCT 20 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69348

This is to certify that: ELLIS AND BEATRICE GOOCH
724 W 620 N
SHOSHONE ID 83352
(208)886-7790

have requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-10223	WR/Decreed	06/15/1942	0.04 cfs	11.9 af	N/A	N/A	GROUND WATER
36-15732	WR/Decreed	12/03/1966	0.03 cfs	N/A	1.6	5.0	GROUND WATER
36-15735	WR/Decreed	10/18/1968	0.04 cfs	N/A	2.7	5.0	GROUND WATER
36-15737	WR/Decreed	02/18/1971	0.02 cfs	N/A	N/A	5.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

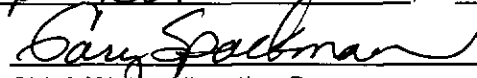
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-10223	NO	NO	NO	YES	NO	NO
36-15732	NO	YES	YES	NO	YES	YES
36-15735	NO	YES	YES	NO	YES	YES
36-15737	NO	YES	YES	NO	YES	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-10223	37-10223	0.04 cfs	11.9 af	N/A	N/A		N/A	N/A	N/A	N/A
36-15732	37-21154	0.03 cfs	4.3 af	N/A	N/A		N/A	N/A	N/A	N/A
36-15735	37-21155	0.04 cfs	7.3 af	N/A	N/A		N/A	N/A	N/A	N/A
36-15737	37-21156	0.02 cfs	1.9 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.10 cfs	25.4 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of September, 2003


Chief, Water Allocation Bureau

MICROFILMED

SCANNED

OCT 20 2003

SEP 30 2003

WATER RIGHT NO. 37-21154
As Modified by Transfer No. 69348

In accordance with the approval of Transfer No. 69348, Water Right No. 37-21154 is now described as follows.

Right Holder: ELLIS GOOCH And
 BEATRICE GOOCH
 724 W 620 N
 SHOSHONE ID 83352

Priority Date: December 03, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.03 CFS	4.3 AF
COMMERCIAL	01/01 to	12/31	0.03 CFS	4.3 AF
			0.03 CFS	4.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNW Sec. 35 Twp 04S Rge 16E LINCOLN County

GROUND WATER SWSWNW Sec. 35 Twp 04S Rge 16E LINCOLN County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 35							X										

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 34				X								X	X	X	X	X	
04S 16E 35							X	X									

SCANNED
 MICROFILMED
 SEP 30 2003
 OCT 20 2003

WATER RIGHT NO. 37-21154
As Modified by Transfer No. 69348

CONDITIONS OF APPROVAL

1. Rights 37-21154 and 37-21155 when combined shall not exceed a total diversion rate of 0.04 cfs.
2. Beginning on the date of approval of Transfer 69348, Rights 37-21154, 37-21155 and 37-21156 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of acknowledgement with the Department prior to decreasing or increasing the annual diversion volume each time a decrease or increase according to the schedule is required.

Years 1 through 9 the rights are limited to 13.5 afa.
Years 10 through 14 the rights are limited to 10.8 afa.
Years 15 through 19 the rights are limited to 8.9 afa.
Years 20 through 28 the rights are limited to 8.7 afa.
Years 29 and beyond the rights are limited to 9.4 afa.
3. The total instantaneous diversion of water from all points of diversion under Rights 37-10223, 37-21154, 37-21155 and 37-21156 shall not exceed 0.10 cfs.
4. Prior to the diversion and use of water under Transfer approval 69348, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
6. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. Commercial use is for a dairy with the barn located in the SWNW S35, T04S, R16E
9. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
10. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
11. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
12. Use of water under this right may be affected by an agreement between the protestant and the right holder.

MICROFILMED SCANNED
OCT 28 2003 SEP 30 2003

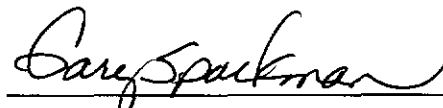
WATER RIGHT NO. 37-21154
As Modified by Transfer No. 69348

CONDITIONS OF APPROVAL

13. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 69348. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 29th day of September, 2003



Chief, Water Allocation Bureau

MICROFILMED
OCT 20 2002

SCANNED
SEP 30 2003

WATER RIGHT NO. 37-21155
As Modified by Transfer No. 69348

In accordance with the approval of Transfer No. 69348, Water Right No. 37-21155 is now described as follows.

Right Holder: ELLIS GOOCH And
 BEATRICE GOOCH
 724 W 620 N
 SHOSHONE ID 83352

Priority Date: October 18, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	12/31	0.04 CFS	7.3 AF
STOCKWATER	01/01	12/31	0.04 CFS	7.3 AF
			0.04 CFS	7.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNW Sec. 35 Twp 04S Rge 16E LINCOLN County

GROUND WATER SWSWNW Sec. 35 Twp 04S Rge 16E LINCOLN County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 34				X								X	X	X	X	X	
04S 16E 35							X	X									

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 35							X										

MICROFILMED
 OCT 20 2003
 SCANNED
 SEP 30 2003

WATER RIGHT NO. 37-21155
As Modified by Transfer No. 69348

CONDITIONS OF APPROVAL

1. Rights 37-21154 and 37-21155 when combined shall not exceed a total diversion rate of 0.04 cfs.
2. Beginning on the date of approval of Transfer 69348, Rights 37-21154, 37-21155 and 37-21156 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of acknowledgement with the Department prior to decreasing or increasing the annual diversion volume each time a decrease or increase according to the schedule is required.

Years 1 through 9 the rights are limited to 13.5 afa.
Years 10 through 14 the rights are limited to 10.8 afa.
Years 15 through 19 the rights are limited to 8.9 afa.
Years 20 through 28 the rights are limited to 8.7 afa.
Years 29 and beyond the rights are limited to 9.4 afa.
3. The total instantaneous diversion of water from all points of diversion under Rights 37-10223, 37-21154, 37-21155 and 37-21156 shall not exceed 0.10 cfs.
4. Prior to the diversion and use of water under Transfer approval 69348, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
6. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. Commercial use is for a dairy with the barn located in the SWNW S35, T04S, R16E
9. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
10. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
11. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
12. Use of water under this right may be affected by an agreement between the protestant and the right holder.

MICHAEL SCANNED
OCT 20 2003 SEP 30 2003

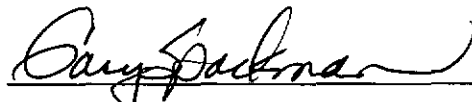
WATER RIGHT NO. 37-21155
As Modified by Transfer No. 69348

CONDITIONS OF APPROVAL

13. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 69348. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 29th day of September, 2003



Chief, Water Allocation Bureau

MICROFILMED
OCT 20 2003

SCANNED
SEP 30 2003

WATER RIGHT NO. 37-21156
As Modified by Transfer No. 69348

In accordance with the approval of Transfer No. 69348, Water Right No. 37-21156 is now described as follows.

Right Holder: BEATRICE GOOCH And
 ELLIS GOOCH
 724 W 620 N
 SHOSHONE ID 83352

Priority Date: February 18, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	04/01	10/31	0.02 CFS	1.9 AF
STOCKWATER	01/01	12/31	0.02 CFS	1.9 AF
			0.02 CFS	1.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNW Sec. 35 Twp 04S Rge 16E LINCOLN County

GROUND WATER SWSWNW Sec. 35 Twp 04S Rge 16E LINCOLN County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
04S 16E 34				X								X	X	X	X	X	
04S 16E 35							X	X									

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
04S 16E 35							X										

SCANNED
 SEP 30 2003
 MICROFILMED
 OCT 20 2003

WATER RIGHT NO. 37-21156
As Modified by Transfer No. 69348

CONDITIONS OF APPROVAL

1. Beginning on the date of approval of Transfer 69348, Rights 37-21154, 37-21155 and 37-21156 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of acknowledgement with the Department prior to decreasing or increasing the annual diversion volume each time a decrease or increase according to the schedule is required.

Years 1 through 9 the rights are limited to 13.5 afa.
Years 10 through 14 the rights are limited to 10.8 afa.
Years 15 through 19 the rights are limited to 8.9 afa.
Years 20 through 28 the rights are limited to 8.7 afa.
Years 29 and beyond the rights are limited to 9.4 afa.

2. The total instantaneous diversion of water from all points of diversion under Rights 37-10223, 37-21154, 37-21155 and 37-21156 shall not exceed 0.10 cfs.
3. Prior to the diversion and use of water under Transfer approval 69348, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
5. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Commercial use is for a dairy with the barn located in the SWNW S35, T04S, R16E
8. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
9. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
10. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
11. Use of water under this right may be affected by an agreement between the protestant and the right holder.

MICROFILMED
OCT 20 2003

SCANNED
SEP 30 2003

WATER RIGHT NO. 37-21156
As Modified by Transfer No. 69348

CONDITIONS OF APPROVAL

12. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 69348. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
13. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 29th day of September, 20 03

Chief, Water Allocation Bureau

MICROFILMED
OCT 29 2003

SCANNED
SEP 30 2003

WATER RIGHT NO. 37-10223
As Modified by Transfer No. 69348

In accordance with the approval of Transfer No. 69348, Water Right No. 37-10223 is now described as follows.

Right Holder: ELLIS GOOCH And
 BEATRICE GOOCH
 724 W 620 N
 SHOSHONE ID 83352

Priority Date: June 15, 1942

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01 to 12/31		0.04 CFS	1.2 AF
COMMERCIAL	01/01 to 12/31		0.02 CFS	2.9 AF
STOCKWATER	01/01 to 12/31		0.04 CFS	7.8 AF
			0.04 CFS	11.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNW Sec. 35 Twp 04S Rge 16E LINCOLN County

GROUND WATER SWSWNW Sec. 35 Twp 04S Rge 16E LINCOLN County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 35							X										

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 34				X								X	X	X	X		
04S 16E 35							X	X									

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 35							X										

MICHAEL

OCT 20 2003

SCANNED
 SEP 30 2003

WATER RIGHT NO. 37-10223
As Modified by Transfer No. 69348

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 37-10223, 37-21154, 37-21155 and 37-21156 shall not exceed 0.10 cfs.
2. Prior to the diversion and use of water under Transfer approval 69348, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
4. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Commercial use is for a dairy with the barn located in the SWNW S35, T04S, R16E
7. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
8. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
9. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. Use of water under this right may be affected by an agreement between the protestant and the right holder.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICHAEL
OCT 20 2003

SCANNED
SEP 30 2003

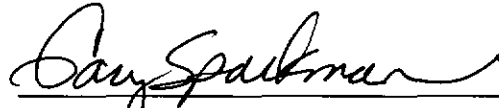
WATER RIGHT NO. 37-10223
As Modified by Transfer No. 69348

CONDITIONS OF APPROVAL

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 29th day of September, 2003


Chief, Water Allocation Bureau

MICROFILMED
OCT 20 2003

SCANNED
SEP 30 2003

RECEIVED

SEP 08 2003

Department of Water Resources
Southern Region

Transfer No. 69348

Receipt No. S024081

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

RECEIVED

SEP 19 2003

Department of Water Resources

1. Applicant Information ELLIS GOOCH
724 W 620 N
SHOSHONE ID 83352
(208)886-7790

BEATRICE GOOCH
724 W 620 N
SHOSHONE ID 83352
(208)886-7790

AMENDED

Will this transfer result in an ownership change? _____ Yes _____ No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
37-10223	WR/Beneficial Use	0.04	11.9			GROUND WATER
36-15732	WR/Decreed	0.03		1.6	5.0	GROUND WATER
36-15735	WR/Decreed	0.04		2.7	5.0	GROUND WATER
36-15737	WR/Decreed	0.02			5.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-10223	NO	NO	NO	YES	NO	NO
36-15732	NO	YES	YES	NO	YES	YES
36-15735	NO	YES	YES	NO	YES	YES
36-15737	NO	YES	YES	NO	YES	YES

Describe the reason for the proposed changes

To provide more water for a heifer operation. Incorporated with this application is the Mitigation Plan submitted by Brockway Engineering April 25, 2003 which calls for a stepped reduction of use volume pumped in the future.

4. FOR CHANGES IN NATURE OF USE ONLY**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

All water stays on property. The commercial place of use includes land application for waste water from the facility.

MICROFILMED SCANNED

OCT 20 2003 SEP 18 2003

B. Describe the effects on other water uses resulting from the proposed change
Should be none.

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
37-10223	0.04 cfs			11.9 af
36-15732	0.03 cfs			4.3 af
36-15735	0.04 cfs			7.3 af
36-15737	0.02 cfs			1.9 af
TOTAL	0.12 cfs			25.4 af

SCANNED
MICROFILMED SEP 18 2003
OCT 20 2003

Transfer No. 69348
Receipt No. S024081

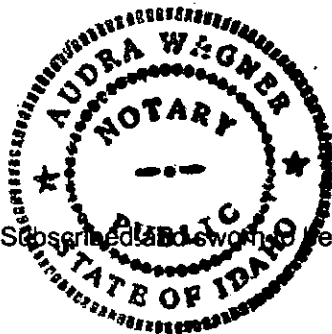
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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.

Beatrice Jo Boach
Ellis J Boach
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 25 day of August, 2003.



Audra Wagner
(Notary Public)

My commission expires 6/10/09

RECEIVED

SEP 08 2003

Department of Water Resources
Southern Region

SCANNED

MICROFILMED SEP 18 2003

OCT 20 2003

Transfer No. 69348
Receipt No. S024081

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 37-10223

Priority Date: June 15, 1942
Origin: Water Right
Basis: Decreed
Status: Active

RECEIVED
SEP 08 2003
Department of Water Resources
Southern Region

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	01/01	12/31	0.04 CFS	1.2 AFA	
COMMERCIAL	01/01	12/31	0.02 CFS	2.9 AFA	
STOCKWATER	01/01	12/31	0.04 CFS	7.8 AFA	
Total Diversion			0.04 CFS	11.9 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSWNW Sec. 35 Twp 04S Rge 16E LINCOLN County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	16E	35								X									

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	16E	35								X									

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	16E	35								X									

Conditions/Remarks:

SCANNED
SEP 18 2003
MICROFILMED
OCT 20 2003

Page 5

1. COMMERCIAL USE IS AT A DAIRY.
2. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Documentation of Ownership of the Current Place of Use

Tax Notice

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Should be none

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

SCANNED

MICROFILMED SEP 18 2003

OCT 20 2003

Transfer No. 69348
Receipt No. S024081

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 36-15732

Priority Date: December 03, 1966
Origin: Water Right
Basis: Decreed
Status: Active

RECEIVED

SEP 08 2003

Department of Water Resources
Southern Region

Source: GROUND WATER

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/01 10/31	0.03 CFS		
	Total Diversion	0.03 CFS		

Source and Point(s) of Diversion:

GROUND WATER NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County

GROUND WATER NESWNE Sec. 30 Twp 08S Rge 22E MINIDOKA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 22E 30					5.0												5.0

Total Acres: 5

Conditions/Remarks:

1. This right is limited to the irrigation of 1.6 acres within the place of use described above in a single irrigation season.
2. Rights 36-15732 and 36-15735 when combined shall not exceed 0.04 cfs.

Sign *Ellis Dorch*
Beatrice Jo Dorch

SCANNED

SEP 18 2003

MICROFILMED

OCT 20 2003

3. Rights 36-15732, 36-15735 and 36-15737 when combined shall not exceed a total diversion rate of 0.06 cfs, a total annual maximum diversion volume of 20 af at the field headgate, and the irrigation of 5 acres.
4. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
5. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the originating approval/SRBA partial decree date.
6. Rights 36-15732, 36-15735, 36-15737, 36-16104, 36-16106, and 36-16108 are all diverted through the point(s) of diversion described above.
7. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Documentation of Ownership of the Current Place of Use

Tax Notice

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Should be none

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

SCANNED

SEP 18 2003

MICROFILMED

OCT 20 2003

Transfer No. 69348
Receipt No. S024081

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 36-15735

Priority Date: October 18, 1968
Origin: Water Right
Basis: Decreed
Status: Active

RECEIVED

SEP 08 2003

Department of Water Resources
Southern Region

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/01 10/31	0.04 CFS		
	Total Diversion	0.04 CFS		

Source and Point(s) of Diversion:

GROUND WATER	NWNWSE	Sec. 19 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NESWNE	Sec. 30 Twp 08S	Rge 22E	MINIDOKA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	22E	30					5.0												5.0

Total Acres: 5

Conditions/Remarks:

1. This right is limited to the irrigation of 2.7 acres within the place of use described above in a single irrigation season.
2. Rights 36-15732 and 36-15735 when combined shall not exceed 0.04 cfs.
3. Rights 36-15732, 36-15735 and 36-15737 when combined shall not exceed a total diversion rate of 0.06 cfs, a total annual maximum diversion volume of 20 af at the field headgate, and the irrigation of 5 acres.
4. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.

SCANNED

MICROFILMED

SEP 18 2003

OCT 20 2003

5. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the originating approval/SRBA partial decree date.
6. Rights 36-15732, 36-15735, 36-15737, 36-16104, 36-16106, and 36-16108 are all diverted through the point(s) of diversion described above.
7. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

no

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Don will be dried up

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? *no*

Sign
Beatrice Jo Gaoch
Ellis Gaoch

MICROFILMED

OCT 20 2003

SCANNED

SEP 18 2003

Transfer No. 69348
 Receipt No. S024081

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2**

Current Water Right No. 36-15737

Priority Date: February 18, 1971
Origin: Water Right
Basis: Decreed
Status: Active

RECEIVED
SEP 02 2003
 Department of Water Resources
 Southern Region

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.02 CFS		
	Total Diversion	0.02 CFS		

Source and Point(s) of Diversion:

GROUND WATER	NWNWSE	Sec. 19 Twp 08S Rge 22E MINIDOKA County
GROUND WATER	NESWNE	Sec. 30 Twp 08S Rge 22E MINIDOKA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 22E 30					5.0												5.0

Total Acres: 5

Conditions/Remarks:

1. Rights 36-15732, 36-15735 and 36-15737 when combined shall not exceed a total diversion rate of 0.06 cfs, a total annual maximum diversion volume of 20 af at the field headgate, and the irrigation of 5 acres.
2. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the originating approval/SRBA partial decree date.
4. Rights 36-15732, 36-15735, 36-15737, 36-16104, 36-16106 and 36-16108 are all diverted through the point(s) of diversion described above.

MICROFILMED

OCT 20 2003

SCANNED

SEP 18 2003

Page 11

5. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
6. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

MICROFILMED

OCT 20 2003

SCANNED
SEP 18 2003

Transfer No. 69348

Receipt No.S024081

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 37-10223

RECEIVED

Priority Date: June 15, 1942

Origin: Water Right

Basis: Decreed

Status: Active

SEP 08 2003Department of Water Resources
Southern Region

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	01/01 12/31	0.04 CFS	1.2 AFA	
COMMERCIAL	01/01 12/31	0.02 CFS	2.9 AFA	
STOCKWATER	01/01 12/31	0.04 CFS	7.8 AFA	
Total Diversion		0.04 CFS	11.9 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSWNW Sec. 35 Twp 04S Rge 16E LINCOLN County

GROUND WATER SWSWNW Sec. 35 Twp 04S Rge 16E LINCOLN County

Describe the proposed diversion system

Point of Diversion # 1 WELL, 1 HP PUMP, 1 inch PIPE, 300 feet DEPTH

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 35							X										

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 34				X								X	X	X	X	X	
04S 16E 35							X	X									

SCANNED

SEP 18 2003

MICROFILMED

OCT 20 2003

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
04S 16E 35	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
							X										

SCANNED

SEP 18 2003

MICROFILM

OCT 20 2003

Transfer No. 69348
Receipt No. S024081

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 36-15732

Priority Date: December 03, 1966

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

RECEIVED
SEP 08 2003
Department of Water Resources
Southern Region

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01 12/31	0.03 CFS	4.3 AFA	
COMMERCIAL	01/01 12/31	0.03 CFS	4.3 AFA	Dairy
Total Diversion		0.03 CFS	4.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSWNW Sec. 35 Twp 04S Rge 16E LINCOLN County

GROUND WATER SWSWNW Sec. 35 Twp 04S Rge 16E LINCOLN County

Describe the proposed diversion system

Point of Diversion # 1 WELL, 1 HP PUMP, 1 inch PIPE, 300 feet DEPTH

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 35							X										

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 34				X								X	X	X	X	X	
04S 16E 35							X	X									

SCANNED
MICROFILMED
SEP 18 2003
OCT 20 2003

Transfer No. 69348
 Receipt No. S024081

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 36-15735

Priority Date: October 18, 1968

Origin: Water Right

Basis: Decreed

Status: Active

RECEIVED

SEP 08 2003

Department of Water Resources
 Southern Region

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01 12/31	0.04 CFS	7.3 AFA	Dairy
STOCKWATER	01/01 12/31	0.04 CFS	7.3 AFA	
Total Diversion		0.04 CFS	7.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSWNW Sec. 35 Twp 04S Rge 16E LINCOLN County

GROUND WATER SWSWNW Sec. 35 Twp 04S Rge 16E LINCOLN County

Describe the proposed diversion system

Point of Diversion # 1 WELL, 1 HP PUMP, 1 inch PIPE, 300 feet DEPTH

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 34				X								X	X	X	X	X	
04S 16E 35							X	X									

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 35							X										

SCANNED

MICROFILMED

SEP 18 2003

OCT 20 2003

Transfer No. 69348
Receipt No. S024081

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 36-15737

Priority Date: February 18, 1971
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	04/01 10/31	0.02 CFS	1.9 AFA	Dairy
STOCKWATER	01/01 12/31	0.02 CFS	1.9 AFA	
Total Diversion		0.02 CFS	1.9 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSWNW	Sec. 35 Twp 04S Rge 16E LINCOLN County
GROUND WATER	SWSWNW	Sec. 35 Twp 04S Rge 16E LINCOLN County

Describe the proposed diversion system

Point of Diversion # 1 WELL, 1 HP PUMP, 1 inch PIPE, 300 feet DEPTH

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 34				X								X	X	X	X	X	
04S 16E 35							X	X									

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 35							X										

SCANNED

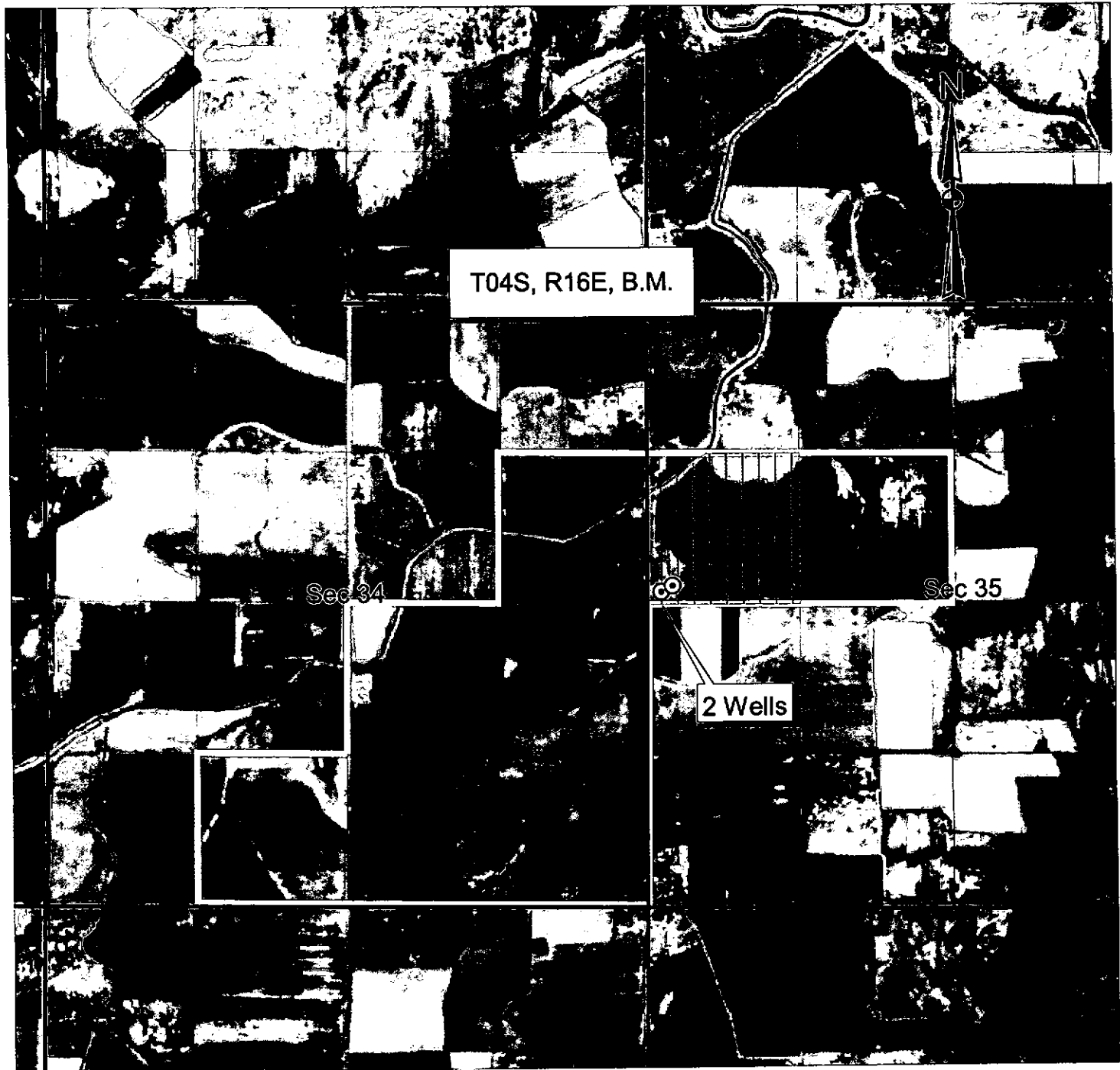
MICROFILMED

SEP 18 2003

OCT 20 2003

Gooch Amended Transfer 69348

RECEIVED
SEP 08 2003
Department of Water Resources
Southern Region



- ☐ PLSS Section LinesSections.shp
- ☒ T69348 pd.shp
- ☐ T69348 d and s pu.shp
- ☐ T69348 com pu.shp
- ☐ GCDB04S16E GCDB

MICROFILMED

OCT 20 2003

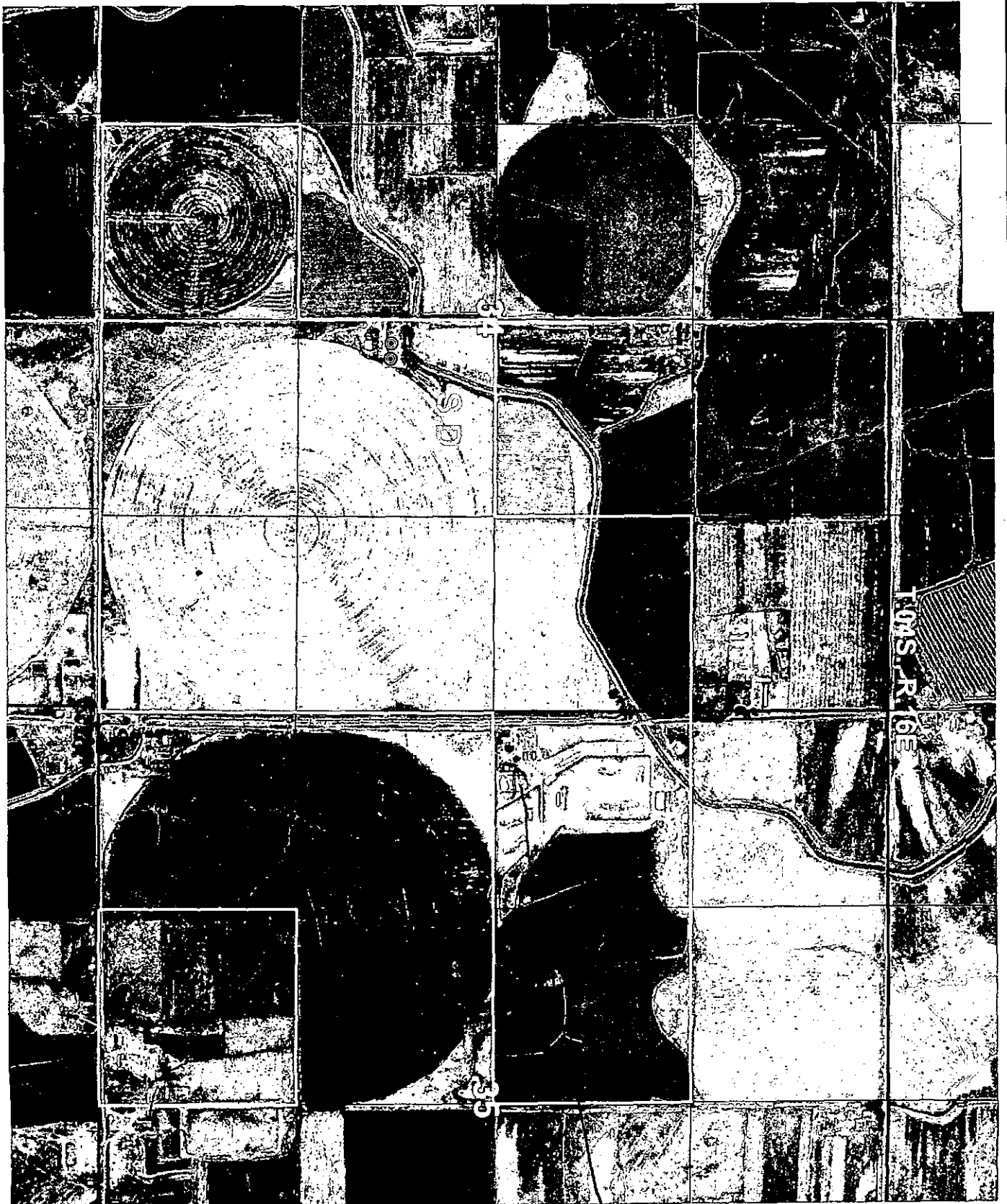
SCANNED
SEP 18 2003

BROCKWAY ENGINEERING, PLLC.
ALR May 20, 2003

KOHTZ (GOOCH)
Water Right Transfer
Aerial Photo 2002
T # 69348

S.D. 37-10224

Place of use
Section
T05a16
40%
P.O.D (MILLS)



RECEIVED
MAY 28 2003

Department of Water Resources
Southern Region

SCANNED
JUN 25 2003

Wells
SOUND SEC 35
T 045 R 16 E
JUN 28 2003



539-4294

31-7808

121-57801

Page 1 of 14

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69348

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Chris & Deatrice Jo Fouch Phone 886-7190
Post Office address 670 N 650 W Shoshone, Id 83352

A. PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes To provide water for a better
operation

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
36-15732 36-02676	12-3-66	0.03/4.68	Stock/Comm	01/01 to 12/31
36-15735 36-07044	10-18-69	0.04/8.22	Stock/Comm	01/01 to 12/31
36-15737 36-07158	02-18-71	0.017/2.1	Stock/Comm	01/01 to 12/31
36-15738 37-10224	06-15-38	0.06/6.0	Stock/Dam	01/01 to 12/31

2. Total amount of water being transferred 0.057 + 0.4 cubic feet per second and/or 21 acre-feet per annum.

3. Source of water Groundwater tributary to

4. Point(s) of Diversion: ~~Derived from combined rate of diversion for 3 rights~~
being transferred which is $0.0114/\text{acre} \times 5 \text{ acres} = 0.057$

[illegible]

5. Lands irrigated or place of use;

[illegible]

SCANNED

Total acres _____

MAY 15 2003

~~Amended~~
9-8-2003

~~Replaced / Amended~~
9-8-2003

DATE 2003

PART 1**6. General Information:**

a. Description of diversion system Pumps, pipes and distribution systems
to corrals

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X 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:

lands will be dried up and no longer irrigated.

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 _____.

SCANNED
MICROFILMED
OCT 20 2003
MAY 15 2003

PART 2

TRANE NO. 69 348

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R36--02676

STAGE: DECREE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/01 to 10/31	2.32 CFS

SOURCE

GROUNDWATER

Priority: 12/03/1966

LOCATION OF POINT(S) OF DIVERSION:

NWNWSE , Sec. 19, Township 08S, Range 22E
 NESWNE , Sec. 30, Township 08S, Range 22E
 MINIDOKA County

PLACE OF USE:

IRRIGATION

NE								NW								SW								SE															
		NENE		NWNE		SWNE		SENE		:	NENW		NWNW		SWNW		SENW		:	NESW		NWSW		SWSW		SESW		:	NESE		NWSE		SWSE		SESE		:		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
											:									:									:									:	
08S 22E 19 :					37		33				:									:	38				40				:	33		40		40				:	261.0
08S 22E 30 :			37		34						:	40								:									:									:	111.0
											:									:									:									:	TOTAL ACRES
											:									:									:									:	372.0

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OF FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.25 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1488 AF. COMBINED RIGHT NOS.: 36-07044 AND 36-07158.
4. USE OF THIS RIGHT WITH RIGHT NO. 36-07044 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.00 CFS.

MICROFILMED SCANNED
 OCT 20 2003 MAY 15 2003

Claim No. F36-02676

5. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
6. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 372 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-07044 AND 36-07158.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 116 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
6. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 36-07044 AND 36-07158.

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

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:

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 _____

MICROFILMED

SCANNED

OCT 20 2003

MAY 15 2003

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 0.03/6.24 for irrigation purposes from 03/01 to 10/31
 (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
	NW	NW	SE	19	08S	22E	Minidoka	
	NE	SW	NE	30	08S	22E	Minidoka	

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	
08S	22E	30					5												5

Total acres 5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 2.29/457.8 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
	NW	NW	SE	19	08S	22E	Minidoka	
	NE	SW	NE	30	08S	22E	Minidoka	

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	
08S	22E	19			37	33					38			40	33	40	40		261
08S	22E	30			37	34			35										106

Total acres 367
 MICROFILMED SCANNED
 OCT 20 2003 MAY 15 2003

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R36-07044

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/01 to 10/31	3.00 CFS

SOURCE

GROUNDWATER

Priority: 10/18/1968

LOCATION OF POINT(S) OF DIVERSION:

NWNWSE , Sec. 19, Township 08S, Range 22E
 NESWNE , Sec. 30, Township 08S, Range 22E
 MINIDOKA County

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE				
				NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
08S	22E	19	:			37	33					38			40	33	40	40		261.0
08S	22E	30	:		37	34		40												111.0
																			TOTAL ACRES	372.0

CONDITIONS/REMARKS:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.25 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1488 AF. COMBINED RIGHT NOS.:
 36-02676 AND 36-07158

Claim No. R36-07044

USE OF THIS RIGHT WITH RIGHT NO. 36-02676 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.00 CFS.

5. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
6. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 372 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02676 AND 36-07158
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 204 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
6. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02676 AND 36-07158.

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

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:

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 _____

SCANNED

MICROFILMED MAY 15 2003

OCT 20 2003

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 0.04/10.7 for irrigation purposes from 03/01 to 10/31
 (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
	NW	NW	SE	19	08S	22E	Minnesota	
	NE	SW	NE	30	08S	22E	Minnesota	

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	
08S	22E	30					5												5

Total acres 5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 2.96/805.3 for irrigation purposes from 03/01 to 10/31
 (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
	NW	NW	SE	19	08S	22E	Minnesota	
	NE	SW	NE	30	08S	22E	Minnesota	

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	
08S	22E	30			37	33					38			40	33	40	40		261
					37	34			35										106

Total acres 367

MICROFILMED

SCANNED

OCT 20 2003

MAY 15 2003

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R36-07158

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	1.25 CFS

SOURCE

GROUNDWATER

Priority: 02/18/1971

LOCATION OF POINT(S) OF DIVERSION:

NWNWSE , Sec. 19, Township 08S, Range 22E
 NESWNE , Sec. 30, Township 08S, Range 22E
 MINIDOKA County

PLACE OF USE:

IRRIGATION

		NE				NW				SW				SE				
		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
08S 22E 19	:			37	33					28			40	33	40	40		261.0
08S 22E 30	:			37	34			40										111.0
																	TOTAL ACRES	372.0

CONDITIONS/REMARKS:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.25 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1488 AF. COMBINED RIGHT NOS. 36-02676 AND 36-07044.
- THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. ~~THE USE~~

SCANNED

MICROFILMED MAY 15 2003

OCT 28 2003

Claim No. R36-07158

OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

6. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 372 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02676 AND 36-07044.
6. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 36-02676 AND 36-07044.

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

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:

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 _____

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

_____ 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 0.017/2.8 for irrigation 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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	SE	19	08S	22E	Minnesota	
	NE	SW	NE	30	08S	22E	Minnesota	

3. 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	
08S	22E	30					5												5

Total acres 5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 1.23/205.2 for irrigation purposes from 04/01 to 10/31
 (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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	SE	19	08S	22E	Minnesota	
	NE	SW	NE	30	08S	22E	Minnesota	

3. 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	
08S	22E	19			37	33					38			40	33	40	40		261
08S	22E	30			37	34				35									106

Total acres 367
 OCT 20 2003
 MAY 15 2003
 SCANNED

Pg 12 of 14

T#69348
2001 JAN 10 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-10224

NAME AND ADDRESS: BEATRICH GOOCH
ELLIS GOOCH
670 N 650 W
SHOSHONE, ID 83352

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/15/1938

POINT OF DIVERSION: T04S R16E S34 SWNWSE Within Lincoln County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic & HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater	Within Lincoln County
	T04S R16E S34 NWSE	
	Domestic	Within Lincoln County
	T04S R16E S34 NWSE	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

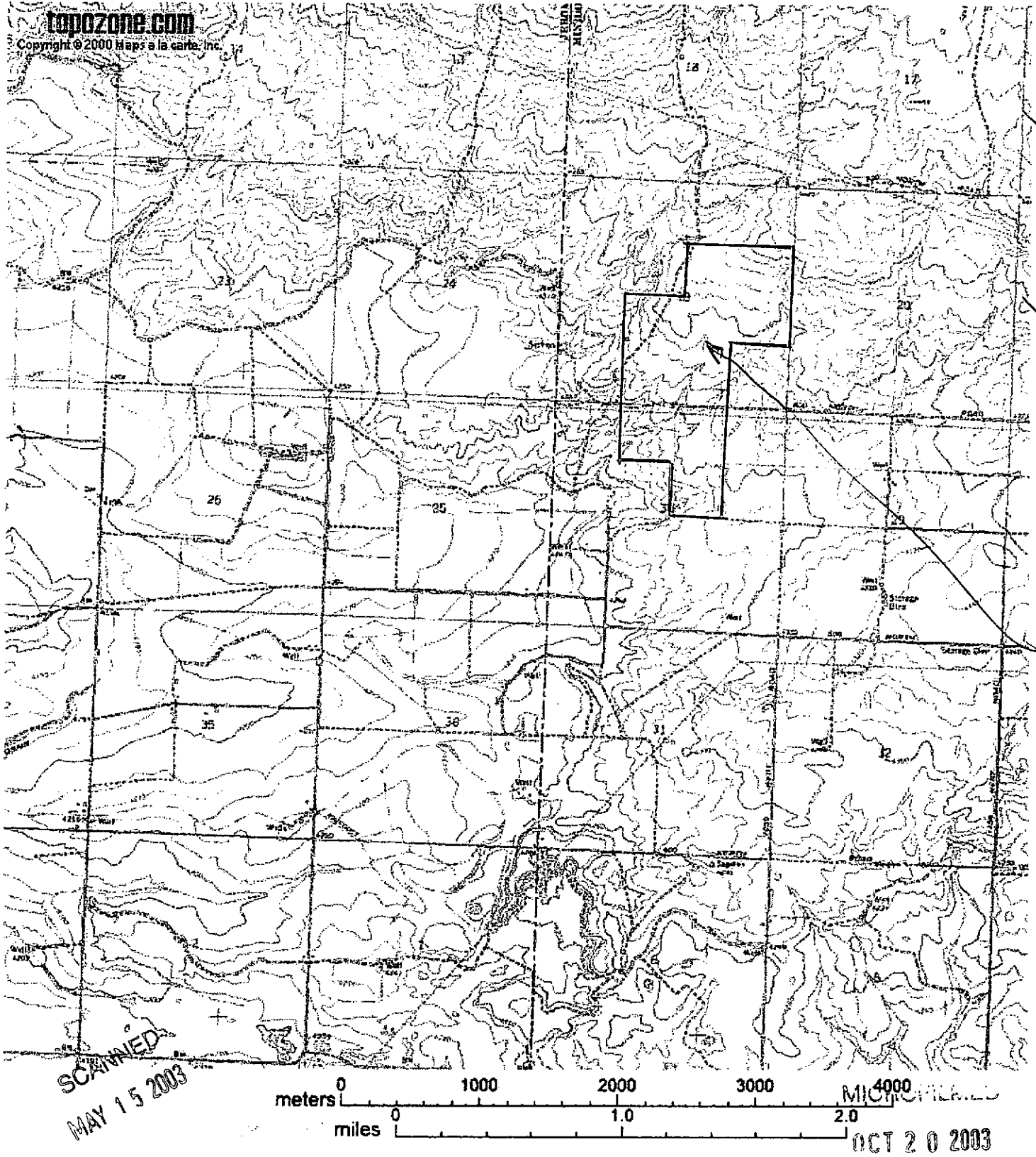
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick
Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

Map center is UTM 12 261115E 4731255N - **BURLEY NW** quad [Quad Info]



Larsen-Kohltz Property

*Larsen-Kohltz Property T085 R02E Sec 19, 30
T# 69348*

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>Stockwater</u>	<u>0.057/15</u>	<u>as needed</u>	<u>01/01 to 12/31</u>
	<u>Commercial</u>	<u>0.057/15</u>	<u>as needed</u>	<u>01/01 to 12/31</u>

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

All water stays on property

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

Should be none

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.

X Ellis Dooch Beatrice
(Signature of Applicant)

Subscribed and sworn to before me this



day of

April16 2001

(Notary Public)

My commission expires

5/12/06

FOR DEPARTMENT USE ONLY

Transfer contains 14 pages and 5 attachments

Received by

JF

Date

6/29/01

Protest filed by

Clerk Springs Foods

Prelim. check by

JF

Fee

\$100.00

Received by

JF

Date

6/29/015024081

Published in

Sa. D. Press & Lincoln Co. Journal

Copies of protest forwarded by

Pub. dates

9/24 & 10/1/01; 9/27 & 10/4/01

Hearing held by

Date

Watermaster recommendation requested on

N/A

Recommended for

☐ approval☐ denial

rec'd.

by

Copy of transfer sent to lien holder

Withdrawn

MICROFILM

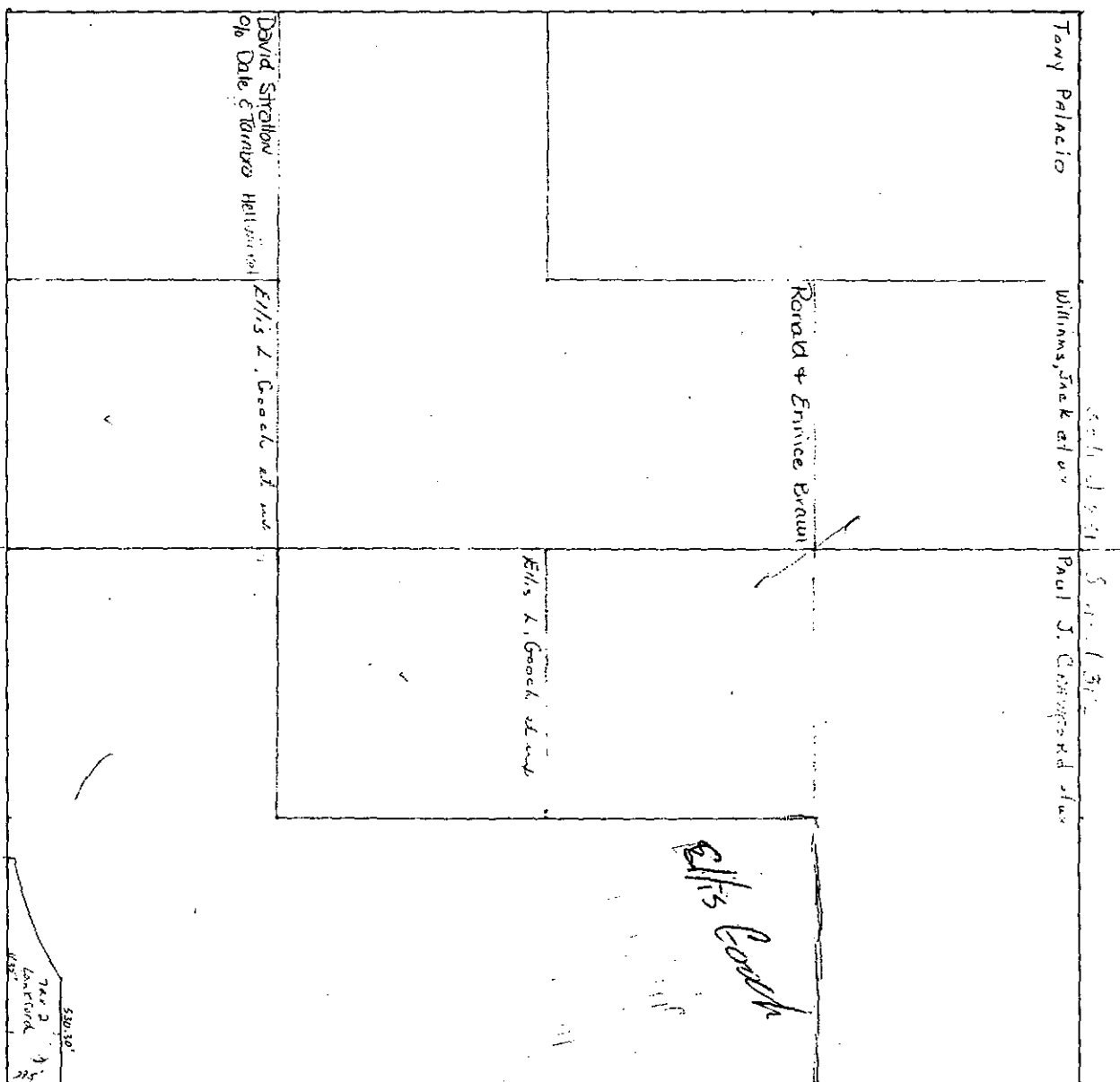
OCT 20 2003

SCANNED

MAY 15 2003

34 4 6 E. B. M., Lincoln County, Idaho

34 4 6 E. B. M., Lincoln County, Idaho



MAY 15 2003

OCT 20 2003

T#69348

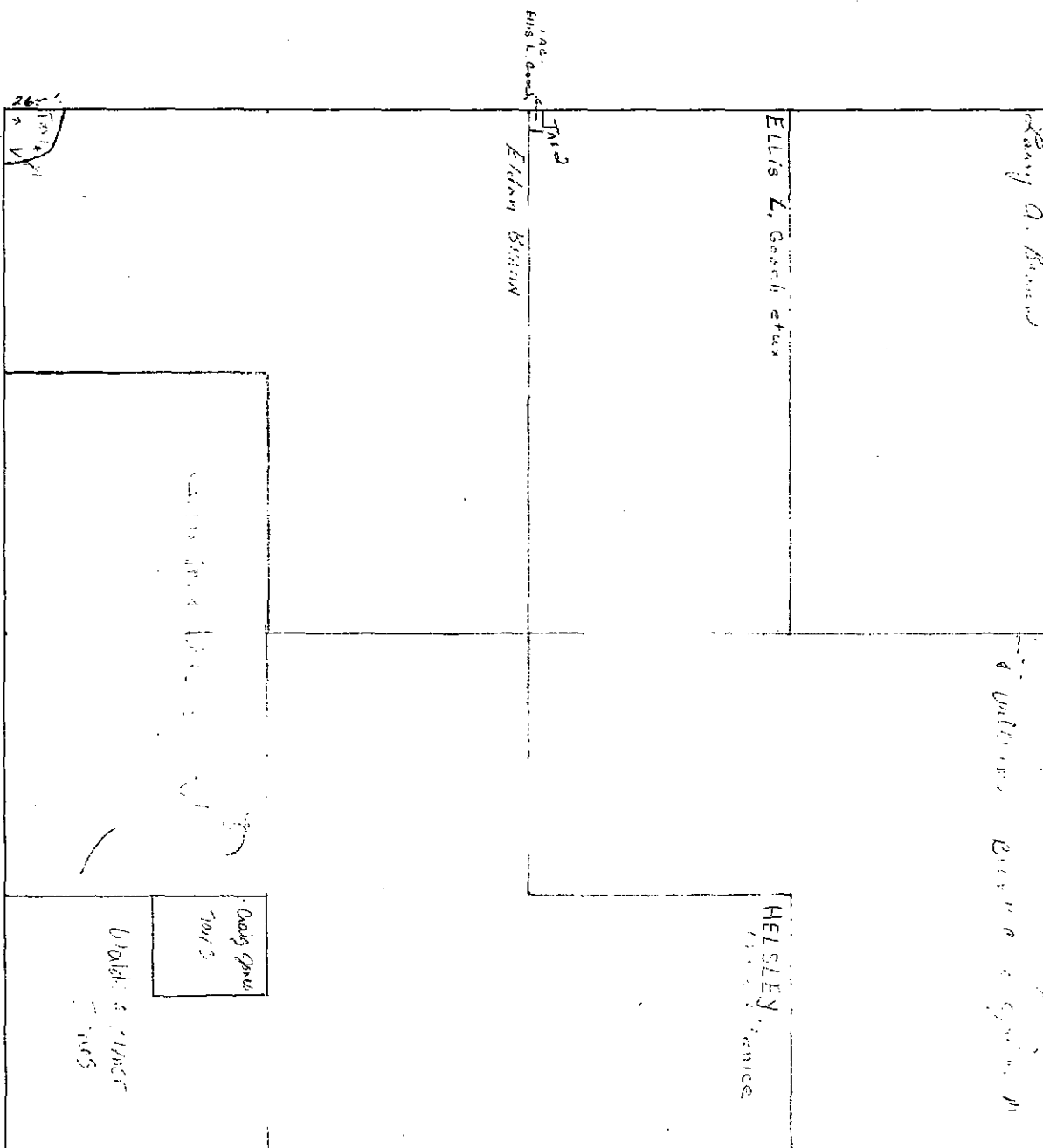
35 4 South of Range 16 E. B. M., Lincoln County, Idaho
 section..... Twp.

55

TPD.

South of Range

E. B. M., Lincoln County, Idaho



MAY 15 2003

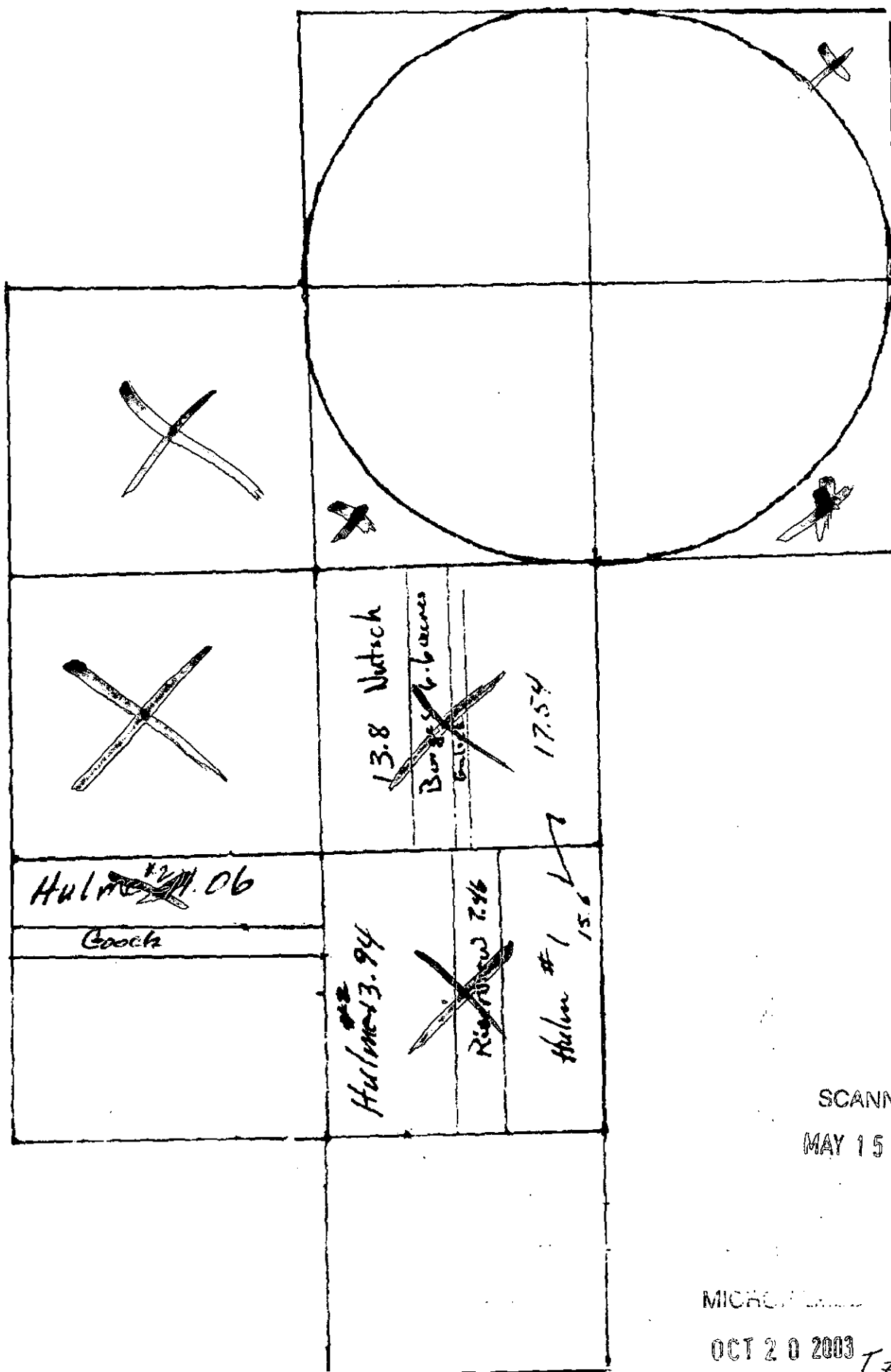
OCT 20 2003

T# 69348

Transfer log

504 - K0412 Proj

T 085 X22E
Sec 19, Sec 30



SCANNED
MAY 15 2003

MICROFILMED

OCT 20 2003 T # 6934

To whom it may concern,

We believe this transfer will cause no injury to any other water right .

We believe this transfer will cause no expansion or enlargement of the water right.

We believe this transfer will be beneficial to the conservation of the water resources.

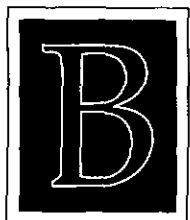
We believe this transfer will be in the public interest of the community and the state of Idaho.

X Ellis Dooch
Bettrice
X Jo Dooch

SCANNED
MAY 15 2003 MICRONFILMED

OCT 20 2003

T# 69348



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

APR 25 2003

Department of Water Resources
Southern Region

April 25, 2003

Mr. Allen Merritt
Idaho Dept. of Water Resources
1341 Fillmore Street
Twin Falls, ID 83301

Mr. Karl Dreher
Idaho Dept. of Water Resources
1301 North Orchard
Boise, ID 83720

Mr. John Simpson
Barker Rosholt & Simpson
P.O. Box 2139
Boise, ID 83701

Mr. Chris Meyer
Givens Pursley
P.O. Box 2720
Boise, ID 83701

Subject: Mitigation Plan – Ellis and Beatrice Jo Gooch Transfer #69348

Dear Gentlemen:

Enclosed is a mitigation plan for the Ellis and Beatrice Jo Gooch Transfer #69348 for a dairy water supply. The application for transfer was prepared utilizing the allowable consumptive use determined by the Department on the Larsen farm of 2.69 acre feet per acre. With the dry up of 5 acres, the new allowed transferable consumptive use would be 13.5 af/a.

The applicant has chosen to mitigate the hydrologic impacts on the springs entering the Snake River in the Milner-King Hill reach by reducing pumping at the dairy site.

The hydrologic analysis was performed with the Ground Water Rights Transfer Spreadsheet. For the analysis, it was assumed that 5 acres would be dried up at the Larsen Farm as per the transfer application. It was assumed for the hydrologic analysis that pumping for the proportionate share of the 5 acres commenced during the next irrigation season immediately after the priority date of each of the three water rights. All pumping at the Larsen farm ceased after 1999; however, it was assumed that pumping continued uninterrupted at the Larsen farm for the 'without transfer' scenario.

This analysis shows that reduced pumping at the dairy according to the attached mitigation plan can mitigate the net effect on the Milner-King Hill springs. Essentially, the full transferred amount can be pumped for 10 years before any reductions are necessary. The Stipulation Regarding Mitigation with a reduced pumping schedule and graph of the achieved net depletion are attached.

Sincerely,

Heather Maxson
for Charles E. Brockway P.E. Ph.D.

Enclosures

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

SCANNED

MAY 15 2003

MICROFILMED

OCT 20 2003

Stipulations Regarding Mitigation
Transfer Number 69348
Ellis and Beatrice Jo Gooch
April 25, 2003

1. Mitigation

The Applicant has agreed to reduce pumping of those water rights under this water right transfer in a quantity sufficient to assure that no additional impact to the Milner to King Hill reach or any other reach of the Snake River is experienced. The quantity of reduced pumping has been calculated and agreed to by the Parties. The reduced pumping schedule mitigates for the impact of the full annual volume applied for in the transfer application. The quantity of reduced pumping for each year is set out in the table(s) appended hereto. These mitigation requirements will be incorporated by the Department into the transfer approval and set out as permanent conditions on the affected water rights.

2. Monitoring of mitigation requirements

Discharge from the new well(s) will be monitored by the Applicant, in accordance with the Director's new water right transfer guidance or other applicable requirements as determined by the Director. The quantity of pumped volumes will be reported annually to IDWR .

3. Positive impacts on other reaches

The Department does not currently have a mechanism in place to recognize the positive impacts that a transfer may have on other river reaches within the Eastern Snake Plain Aquifer.

The Applicant and the Protestant have agreed that no "reach credits" will be recognized in conjunction with the approval of this transfer at this time. The Parties have agreed, however, that if such "reach credits" are recognized in the future by the Department or other appropriate entity, the Applicant retains the right to apply for such credits based on this transfer.

Likewise, the Protestant retains the right to oppose their recognition. If and when such credits are subsequently recognized, they will accumulate only from that point in time forward.

4. No reopening of mitigation calculation

The Applicant and the Protestant have agreed that the quantification of the mitigation obligation (as set out in the attached table(s)) will be permanent. The quantity of mitigation will not be subject to re-opening, re-examination, or re-calculation, except by mutual agreement and approval by the Department. This restriction applies even in the event that new data, new modeling or other information becomes available.

5. Substitute mitigation

As specified above, the mitigation will be provided in the form of reduced pumping. No other method of achieving the mitigation may be substituted by the Applicant, except upon approval of the Department of an application for modification of the mitigation requirement as provided for by law. Moreover, the Protestant shall be given notice of such application.

In any event, the Protestant will not be required to accept any substitute form of mitigation that is less effective than the original mitigation. Specifically, any substitute mitigation must be "in kind" (meaning that it must provide a substitute supply of water—rather than some other kind of compensation—to make up for the depletions caused by the transfer), "in time" (meaning that the make-up water must be provided so as to reach the impacted area at the appropriate time to respond to the depletion caused by the transfer), and "in place" (meaning that the replacement must provide water to same area as the depletions are experienced). Finally, the substitute mitigation must provide water to the depleted impacted areas with the same degree of certainty and reliability as the original mitigation.

SCANNED
MAY 15 2003

9.4 x 29 = 272.6
af
existing plan = 311.8
af
in 29 yrs

Table 1 Proposed Pumping Schedule Mitigation Plan

TRANSFER NO 1				Mitigation Plan			
Applicant:	Gooch-Larsen	FROM:	Larsen	Model Node	9	22	
Transfer #	69348	TO:	Gooch Dairy	Model Node	17	12	
Acres dried up to transfer	5 acres						
Allowed vol. transfer	2.69 af/a						
Volume Transferred:	13.5 af/year						
	4.5 af/trimester						
TRANSFER NO 2							
Applicant:	0	FROM:	0	Model Node	9	22	
Transfer #	0	TO:	0	Model Node	9	22	
Acres dried up to transfer	0 acres						
Allowed vol. transfer	4 af/a						
Volume Transferred:	0.0 af/year						
	0.0 af/trimester						
MITIGATION ACRES (if any)							
Additional acres dried up	acres	FROM:		Model Node			
Allowed transfer	af/a						
Volume (Mitigation)	0.0 af/year						
	af/trimester						
ANNUAL PUMPING							
Begin	End	Number	Actual Af/yr	Mitigation Acres	Source	Pumping af/year	Percent Reduction
2003		1		Reduced Pumping	Reduced Pumping	13.5	1.00
2004		1		Reduced Pumping	Reduced Pumping	13.5	1.00
2005		1		Reduced Pumping	Reduced Pumping	13.5	1.00
2006		1		Reduced Pumping	Reduced Pumping	13.5	1.00
2007		1		Reduced Pumping	Reduced Pumping	13.5	1.00
2008	2012	5		Reduced Pumping	Reduced Pumping	13.5	1.00
2013	2017	5		Reduced Pumping	Reduced Pumping	10.8	0.80
2018	2022	5		Reduced Pumping	Reduced Pumping	8.9	0.66
2023	2031	9		Reduced Pumping	Reduced Pumping	8.7	0.65
2032	2042	11		Reduced Pumping	Reduced Pumping	9.4	0.70
2043	2052	10		Reduced Pumping	Reduced Pumping	9.4	0.70
2053	2072	20		Reduced Pumping	Reduced Pumping	9.4	0.70
2073 >>>>				Reduced Pumping	Reduced Pumping	9.4	0.70
ANNUAL PUMPING							
Begin	End	Number	Actual Af/yr	Mitigation Acres	Source	Pumping af/year	Percent Reduction
2003		1		Reduced Pumping	Reduced Pumping	13.5	1.00
2004		1		Reduced Pumping	Reduced Pumping	13.5	1.00
2005		1		Reduced Pumping	Reduced Pumping	13.5	1.00
2006		1		Reduced Pumping	Reduced Pumping	13.5	1.00
2007		1		Reduced Pumping	Reduced Pumping	13.5	1.00
2008	2012	5		Reduced Pumping	Reduced Pumping	13.5	1.00
2013	2017	5		Reduced Pumping	Reduced Pumping	10.8	0.80
2018	2022	5		Reduced Pumping	Reduced Pumping	8.9	0.66
2023	2031	9		Reduced Pumping	Reduced Pumping	8.7	0.65
2032	2042	11		Reduced Pumping	Reduced Pumping	9.4	0.70
2043	2052	10		Reduced Pumping	Reduced Pumping	9.4	0.70
2053	2072	20		Reduced Pumping	Reduced Pumping	9.4	0.70
2073 >>>>				Reduced Pumping	Reduced Pumping	9.4	0.70

Mitigation for impacts to reaches of the Snake River will be achieved by reduced pumping at the proposed place of use according to the above table..

DO NOT SCALE
MAY 15 2003

SCANNED
MAY 15 2003

GROUND-WATER RIGHTS TRANSFER SPREADSHEET

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPARTMENT OF WATER RESOURCES

Cells this color are
set up for user entries

ENTER STARTING DATE TO
SIMULATION. THEN PUSH
"UPDATE DATES" BUTTON

TRANSFER # 1:
69348
Gooch-Larsen

TRANSFER # 2:
1967
Larsen

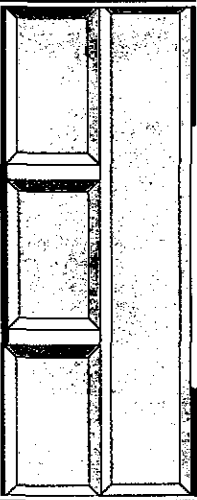
YEAR
1967

SEASON
Spring

ENTER CELL Gooch Dairy
LOCATION: TO CELL

ROW
17

COLUMN
12



Percent pumped
Larsen FROM 1 36-2676 pumped '67-99 0.35
Larsen FROM 2 36-07044 pumped '69-99 0.46
Larsen FROM 3 36-7158 pumped '71-99 0.19
1.00

REDUCED PUMP Gooch Dairy	REDUCE	0
Transfers Vol. Trans #	69348 Transfers Trans #	
AFTRM 4.5	AFTRM 0	
AFTRM 13.5	%Pumped AFTRM 0	%Pumped
2003	1.00	
2004	1.00	
2005	1.00	
2006	1.00	
2007	1.00	2007
2008 to	1.00	2008 to
2010	0.80	2010
2012	0.80	2012
2013	0.80	2013
2017	0.80	2017
2018	0.66	2018
2022	0.66	2022
2023	0.65	2023
2031	0.65	2031
2032	0.70	2032
2042	0.70	2042
2052	0.70	2052
2053	0.70	2053
2072	0.70	2072
2073 >>>>	0.70	2073 >>>>

TRIMESTER OF ACTIVITY	TO WELL Protected Use	FROM1 WELL With Transfer	FROM1 WELL Without Transfer	FROM2 WELL With Transfer	FROM2 WELL Without Transfer	FROM3 WELL With Transfer	FROM3 WELL Without Transfer	AFTRMESTER
SPR 1967	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SUM 1967	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
WIN 1967	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SPR 1968	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SUM 1968	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
WIN 1968	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SPR 1969	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SUM 1969	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
WIN 1969	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SPR 1970	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SUM 1970	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
WIN 1970	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SPR 1971	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SUM 1971	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
WIN 1971	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SPR 1972	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SUM 1972	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
WIN 1972	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SPR 1973	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SUM 1973	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
WIN 1973	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SPR 1974	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SUM 1974	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
WIN 1974	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SPR 1975	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SUM 1975	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
WIN 1975	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SPR 1976	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SUM 1976	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
WIN 1976	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SPR 1977	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SUM 1977	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
WIN 1977	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SPR 1978	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SUM 1978	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
WIN 1978	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85
SPR 1979	0.00	1.57	1.57	2.06	2.06	0.85	0.85	0.85

OCT 20 2003

MICROSOFT

SCANNED
MAY 15 2003

[illegible]

REC'D
OCT 20 2003

MAY 15 2003

SCANNED

SPR 2049	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2049	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2049	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2050	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2050	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2050	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2051	3.14	0.00	1.57	0.00	2.05	0.85
SUM 2051	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2051	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2052	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2052	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2052	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2053	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2053	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2053	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2054	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2054	3.14	6.00	1.57	0.00	2.06	0.85
WIN 2054	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2055	3.14	0.00	1.57	0.00	2.05	0.85
SUM 2055	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2055	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2056	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2056	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2056	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2057	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2057	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2057	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2058	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2058	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2058	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2059	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2059	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2059	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2060	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2060	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2060	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2061	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2061	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2061	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2062	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2062	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2062	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2063	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2063	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2063	3.14	0.00	1.57	0.00	2.05	0.85
SPR 2064	3.14	0.00	1.57	0.00	2.05	0.85
SUM 2064	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2064	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2065	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2065	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2065	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2066	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2066	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2066	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2067	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2067	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2067	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2068	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2068	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2068	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2069	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2069	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2069	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2070	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2070	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2070	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2071	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2071	3.14	0.00	1.57	0.00	2.06	0.85
WIN 2071	3.14	0.00	1.57	0.00	2.06	0.85
SPR 2072	3.14	0.00	1.57	0.00	2.06	0.85
SUM 2072	3.14	0.00	1.57	0.00	2.06	0.85

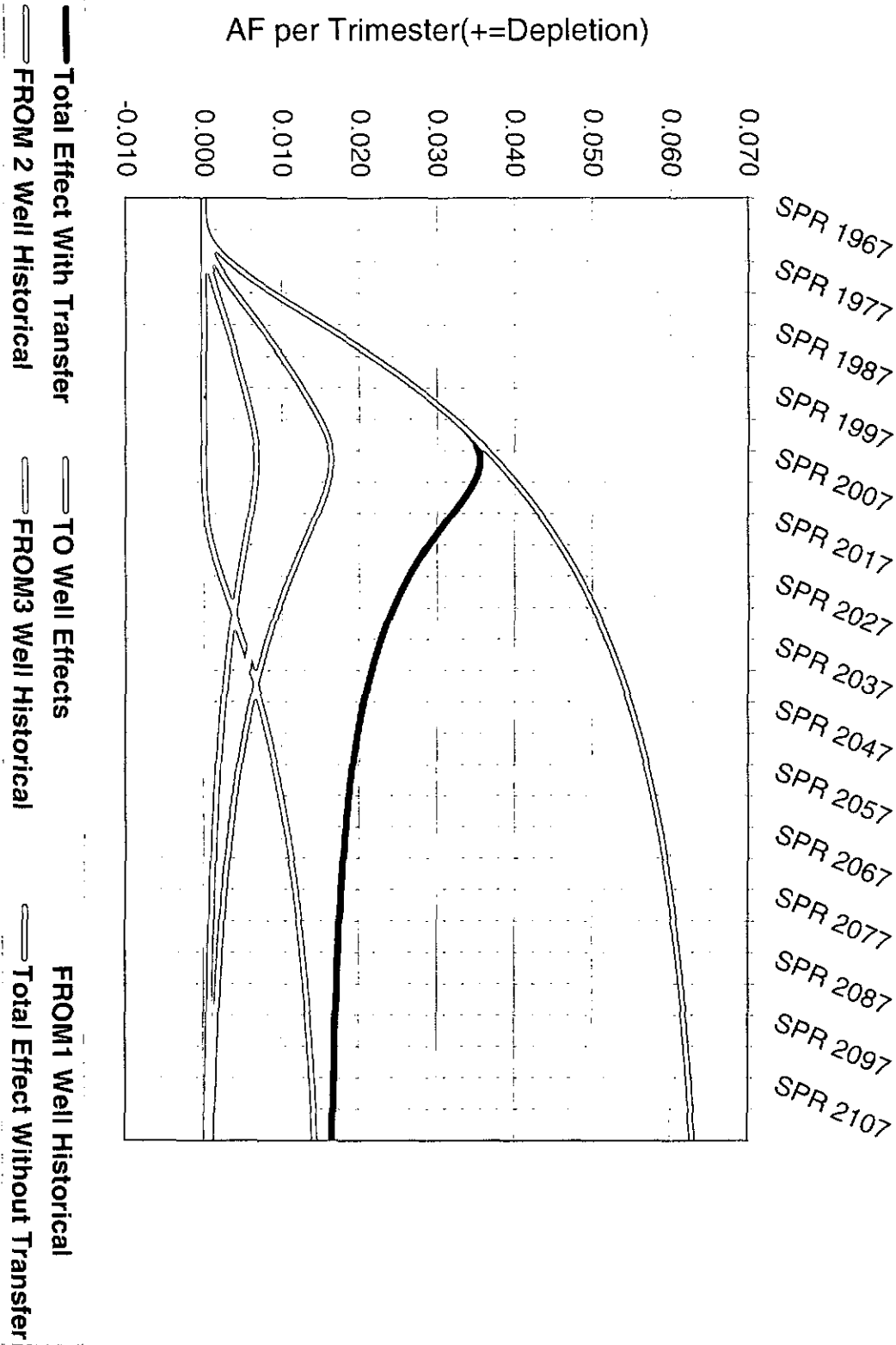
051 2 0 2503

SCANNED
MAY 15 2003

[illegible]

OCT 10 2003

Hydrologic Response--Heise/Ashton to Lewisville Transfer No: 69348 Applicant: Gooch-Larsen

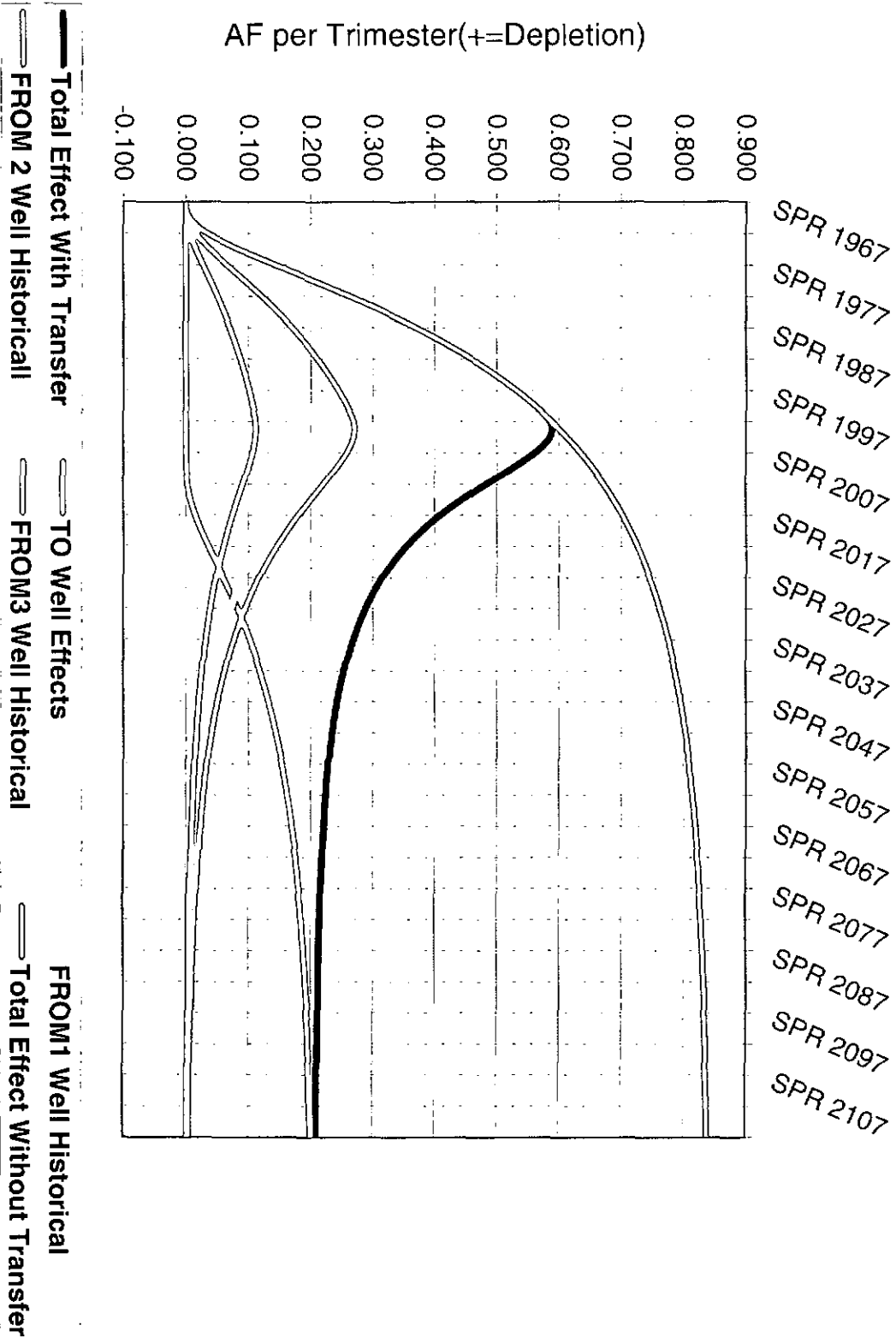


MICRO-SCANNED
 OCT 30 2003

SCANNED
 MAY 15 2003

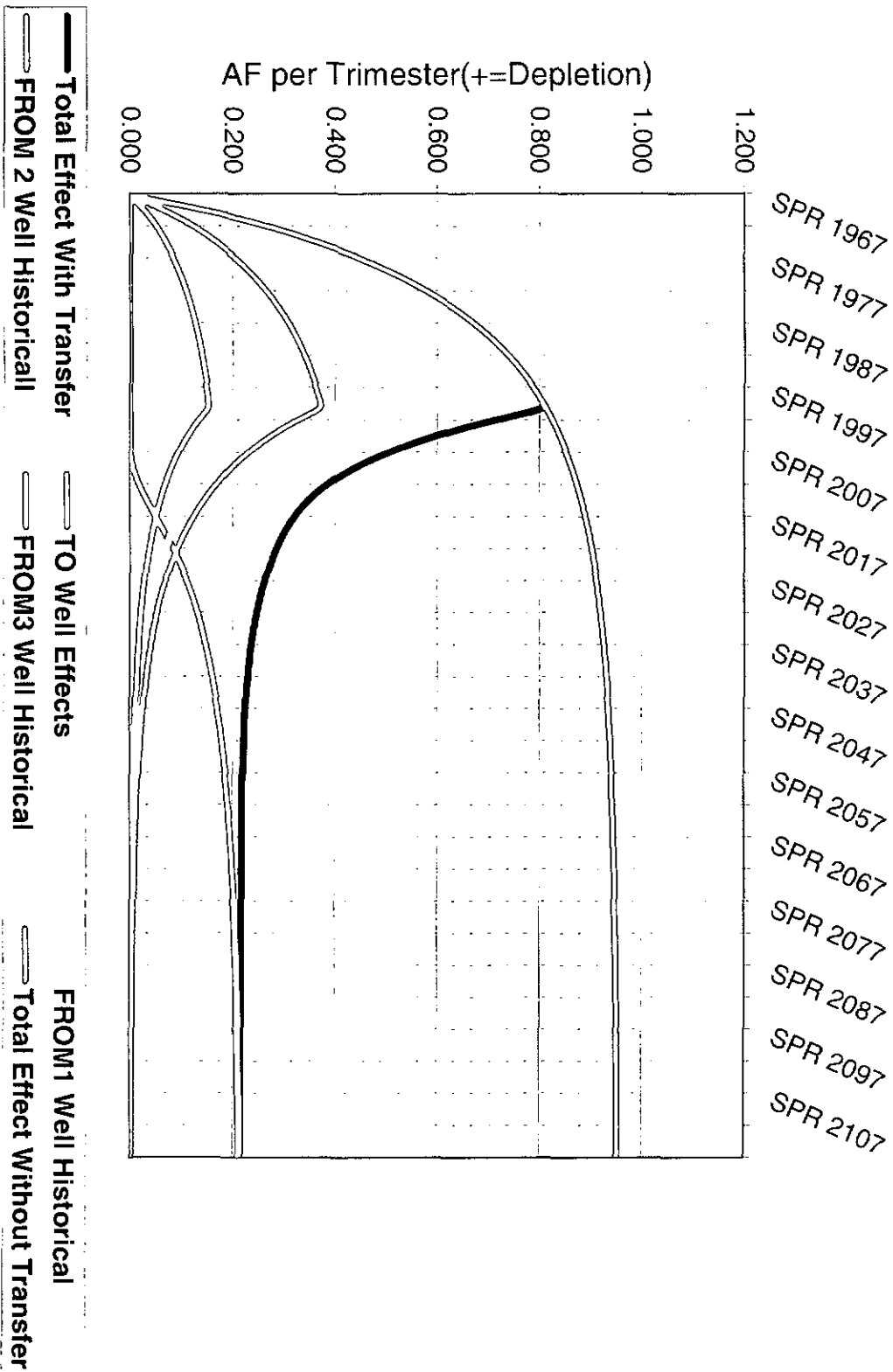
Hydrologic Response--Near Shelley to Neeley Reach

Transfer No: 69348 Applicant: Gooch-Larsen



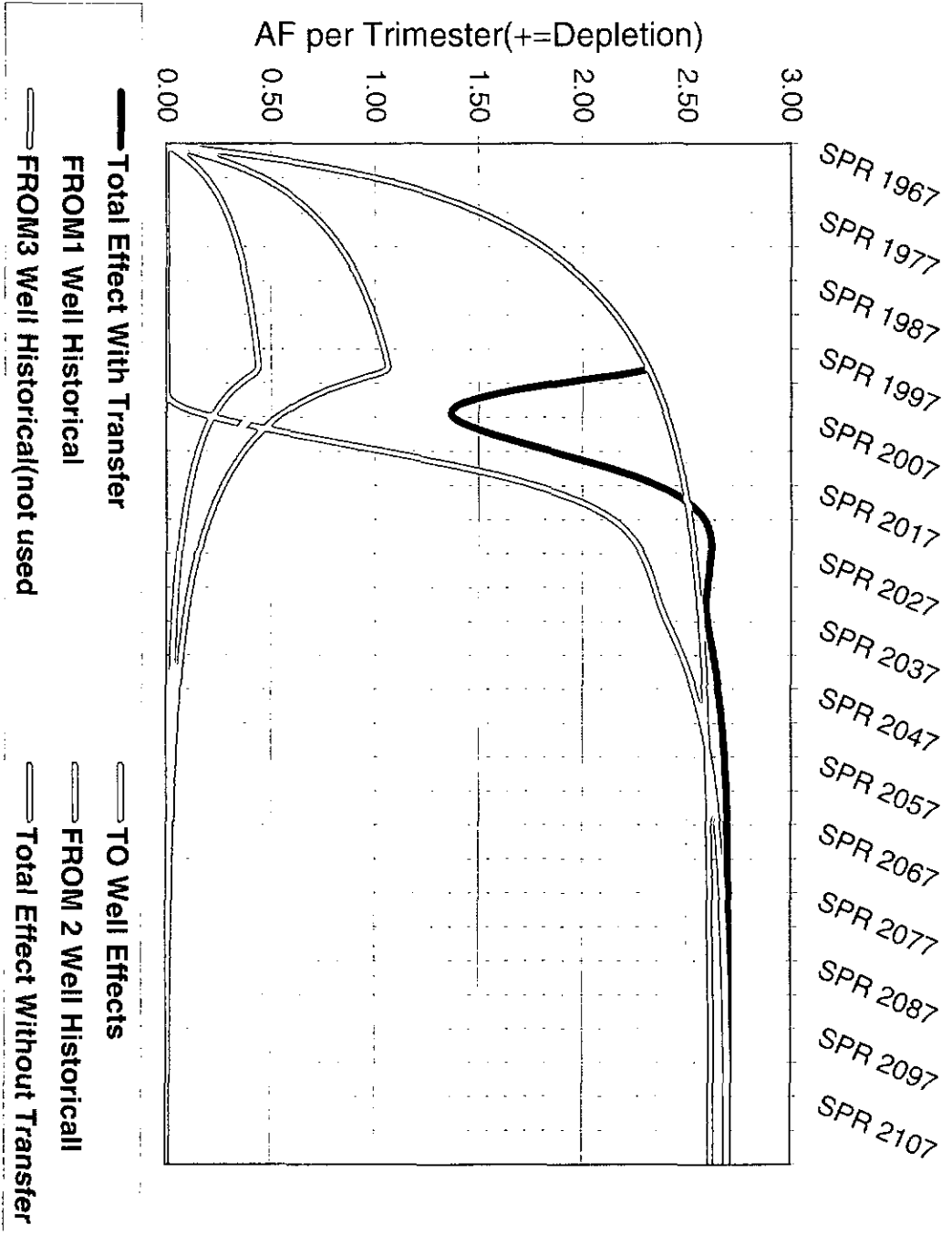
Hydrologic Response--Neeley to Minidoka

Transfer No: 69348 Applicant: Gooch-Larsen



MAILED
OCT 20 2003
MAY 15 2003

Hydrologic Response-- Milner to King Hill Reach Transfer No.:69348 Applicant: Gooch-Larsen

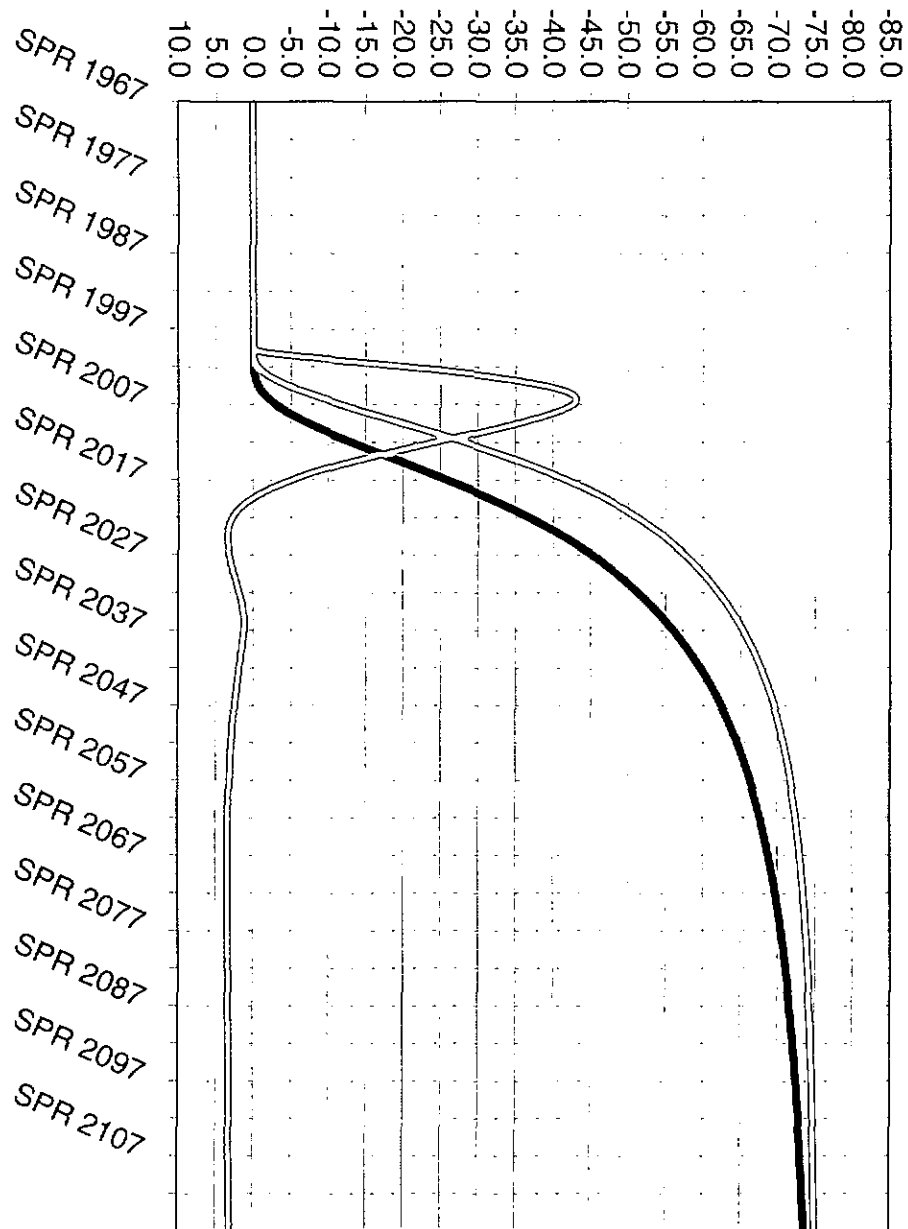


MICRO...
 OCT 20 2003

SCANNED
 MAY 15 2003

Percent Impact of Transfer

— Heise/Ashton to Lewisville — Near Shelley to Neeley Neeley to Minidoka — Milner to King Hill



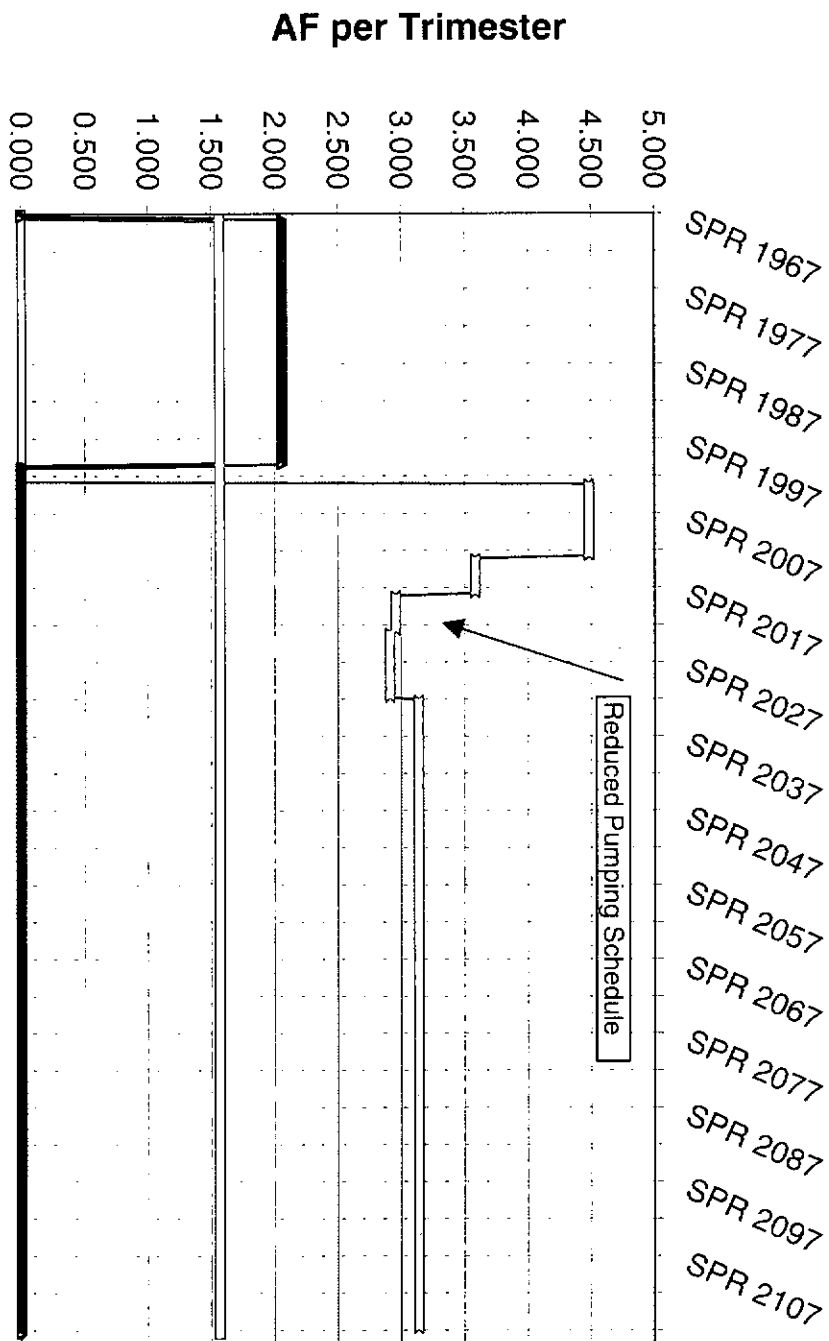
Net Percent Transfer Impact
 Transfer No: 69348 Applicant: Gooch-Larsen

SCANNED
 MAY 15 2003

MICHAEL
 OCT 20 2003

Pumping and Mitigation Schedule **Transfer No69348**

Applicant: Gooch-Larsen



TO Well From 1 Well w/ Transfer From 1 Well wo/Transfer From 2 Well (Mitigation)

SCANNED

MAY 15 2003

MICR

OCT 20 2003

AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT

THIS AGREEMENT is made and entered into this 2/6/01

by and between Del Korte
(hereinafter "Seller"), and Ellis Gooch (hereinafter "Buyer").

TERMS AND CONDITIONS

1. The Sellers, in consideration of the terms contained herein, do hereby contract and agree to sell and convey to the Buyers and the Buyers do hereby agree to buy from the Sellers 15 acre feet of Idaho Water right # 36-07044
36-02676 and the water appurtenant thereto, for \$ 36-07158 acre foot transferable to buyer.

2. The total purchase price shall be \$ 2. The entire purchase price shall be paid on the closing date described in paragraph 5 below, less 15% finders fee and down payment paid at signing.

3. This Agreement for Purchase and Sale of said license is contingent upon and subject to approval of the application for transfer by the Department. If the application is not approved, this Agreement shall become null and void. A copy of the Application for Transfer of Water Right is attached hereto as Exhibit "A" and incorporated herein by said reference.

4. The closing of this transaction and delivery of the executed Assignment to Buyer and the entire purchase price to Seller shall take place at the law offices of Ling, Nielsen and Robinson, 615 H Street, Rupert, Idaho, within thirty days of Buyer's receipt of approval from the Department of the application for transfer.

5. The Buyers shall be given possession and use of the water right and the water appurtenant thereto, upon closing.

SCANNED

MAY 15 2003

MICRO...

OCT 20 2003 #69348

6. In the event that the Buyers are unable to close this transaction for any reason, the Buyers agree that they will execute any documents necessary to transfer the water permit back to the Sellers. Non-payment of this contract and refusal by the buyer to transfer the water right back to the seller constitutes a lien on the property to which the water is transferred.

7. In the event of any suit or proceeding by either party against the other party, in any way arising out of this agreement, the prevailing party shall be awarded their reasonable attorney fees and costs.

8. ~~Each party agrees to pay one-half of any costs incurred in executing this document.~~ Seller pays all costs

9. This agreement shall be binding upon and shall inure to the benefit of the heirs, personal representatives, administrators, successors and assigns to the parties hereto.

10. Buyer understands that if Kohtz is not at fault for the failure of his transfer due to protests or other factors beyond his control, Kohtz shall charge an hourly fee of \$50.00 for the preparation and presentation of the application for transfer. This includes travel time and attendance of hearings on buyers behalf. These monies will come out of the finders fee charged at signing. If transfer is accomplished no hourly fee will be charged. If Kohtz does not find a water right that will transfer to buyer all monies will be refunded.

11. Del Kohtz has my permission to make needed changes to the Water transfer application that is the result of this contract to facilitate the process of transferring the water. The changes made will not materially change the amount of money I (we) have to pay or the amount of water I (we) receive.

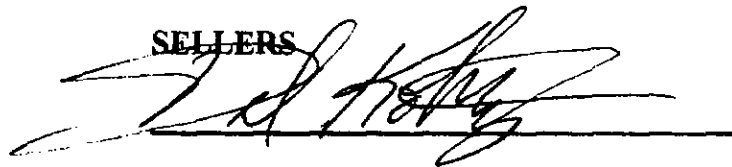
SCANNED

MAY 15 2003

Other Provisions

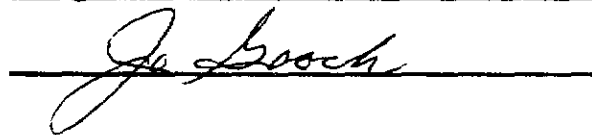
IN WITNESS WHEREOF the parties have caused their names to be subscribed on the
dates set forth above.

SELLERS



BUYERS





SCANNED

MAY 15 2003

MICROFILM

OCT 20 2003

OPTION AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE

THIS AGREEMENT made this 18th day of January, 2001, by and between DEL KOHTZ of 1135 Valley Rd. Eden, Idaho hereinafter known as Buyer, and JOHN C. LARSEN and VIVIAN K. LARSEN husband and wife of 129s. 2900e. Paul, Idaho hereinafter known as Seller.

WITNESSETH

That in consideration of the Stipulations herein contained, and the payments to be made as hereinafter specified, the Seller here by agrees to sell to the Buyer, and the Buyer hereby agrees to purchase from the Seller, the following described real property hereinafter the "real property" situated in the County of Minidoka, State of Idaho. The Buyer desires to buy the property in separate tracts to be agreed upon by both parties. Each tract will be closed separately. There will be one purchase contract for each tract, together with the water rights appurtenant to each parcel. The remaining lands shall remain the property of the Seller until another closing and so forth until the entire 374 acres are sold. **SEE EXHIBIT- A.**

REAL PROPERTY:

TOWNSHIP 8 SOUTH, RANGE 22 EAST, BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO:

TRACT NO. 1: Section 19: SE1/4NE1/4 and NE1/4SE1/4

TRACT NO. 2: Section 19: ^{VKL}~~SW~~1/4NE1/4; W1/2SE1/4; and E1/2SW1/4
DK JCL

TRACT NO. 3: Section 30: NE1/4NW1/4, RESERVING unto the United States, its permittee or licensee, the right to enter upon, occupy and use, any part or all of that portion of said land lying within 25 feet on the north and 125 feet on the south of the centerline of the transmission line right of way of Idaho Power Co. under Power Project #786, for the purposes set forth in and subject to the conditions and limitations of Section 24 of the Federal Power Act of June 10, 1920, 41 Stat. 1075, as amended, (16 U.S.C. 818), as contained in Patent, recorded Dec. 17, 1970, as Document No. 213495, Minidoka Co. records.

TRACT NO. 4: Section 30: W1/2NE1/4.

SUBJECT TO: Easements for transmission and power lines in favor of Idaho Power Co. which are recorded as follows:

A. Recorded Feb. 4, 1927, in book 5 of Miscellaneous, page 492.

B. Recorded Aug. 30, 1967, as Document No. 192233.

C. Recorded Jan. 16, 1970, as Document No. 207389.

D. Recorded Nov. 18, 1970, as Document No. 213048.

And perpetual non-exclusive easements for ingress and egress to the above described property.

SAVE AND EXCEPT the following described parcel:

Dwelling with 2.5 acres:

SCANNED

MAY 15 2003

MICROFILMED

OCT 20 2003

T-#69348

TOWNSHIP 8 SOUTH, RANGE 22 EAST, BOISE MERIDIAN.
MINIDOKA COUNTY, IDAHO
SECTION 30:

Beginning at the Southeast corner of the SW1/4NE1/4, being the
TRUE POINT OF BEGINNING;

Thence West along the South boundary of the SW1/4NW1/4 for a Distance of 314 feet to a point:

Thence North for a distance of 358 feet to a point;
Thence East 314 feet to a point on the East boundary of the

SE 1/4 NE 1/4;

Thence South along the East boundary of the SE1/4NE1/4 358 feet, More or less, to the TRUE POINT OF BEGINNING.

And perpetual non-exclusive easements for ingress and egress to the above described parcels, and together with Idaho Department of Water Resources license # 36-07158, # 36-07044, and # 36-02676 for irrigation of 374 acres, and **SEE EXHIBIT- C.**

Personal Property:

Deep Well / 50 h.p. turbine pump with motor and panel Model # 1393871

Deep Well 200 h.p. turbine pump with motor and panel Model # HC1029088

20 h.p. Booster pump SN # 31275/8591-0

30 h.p. Booster pump SN # ACPBP23935/18

11- quarter mile handlines

1. Lockwood Pivot irrigation system

1 AM948 wheel line

and.

WHEREAS, Buyer wishes to acquire the real and personal property described above with the intention of transferring the place of diversion and the type of beneficial use of said water rights, and

WHEREAS, There is 397.5 acres. Seller wishes to retain approximately 23.5 acres in the SW1/4NE1/4 of said section 30 for use as dry pasture.

IT IS HEREBY MUTUALLY AGREED AS FOLLOWS:

PURCHASE PRICE: The purchase price for the real and personal property described above will be the sum of \$ 10,000.00 TEN THOUSAND DOLLARS and NO/100 DOLLARS ✓ KL

5. The portion of the purchase price per acre shall be paid in full at the time of closing of each parcel except where other arrangements have been made with Seller as to the carrying of the contract with the

SCANNED
MICROFILMED
MAY 15 2003
OCT 20 2003

January 18, 2001

Buyer. The same arrangements shall be in affect for the sale of the water rights as they are sold, except all of the water contracts will be cash at closing. **SEE EXHIBIT- B.**

1. **OPTION:** Seller understands that Buyer is transferring the water appurtenant to Sellers property to another property. The Buyer must submit an application for transfer to the Idaho Department of Water Resources and be approved by the IDWR before the sale of the property can be accomplished. This being a time consuming process is the reason for the need of the option. The closing of the property will take place within thirty days after the approval of the transfer by the IDWR. Buyer shall have 365 days from the date of the signing of this contract to complete and close the attached transfers. If IDWR has not completed all of these transfers by the end of the option period and the Buyer wishes to extend the contract, Buyer may pay interest to the Seller at the rate Farm Credit Service charges on the unpaid balance until the transfers are complete. Unless agreed upon by both the Buyer and the Seller, this option agreement shall not be extended by the Buyer more than 180 days past the first option period.

2. **TITLE:** A good and marketable title free and clear of liens, and title insurance will be provided by Seller at closing (except easements and rights-of-way, which are apparent, or of record). Lienholder (Farm Credit Service) shall hold a lien on the Real Property until their lien is paid off, but must sign off on the water rights so they can be transferred. The Seller will arrange for the purchasing of the title insurance, Buyer shall arrange for the closing so that Seller will pay the least closing costs. Buyer and Seller will share the closing cost on the contract. When the tracts or tract are closed those tracts or tract shall become the sole property of the Buyer, but Seller shall retain a lien on entire real and personal property except the water rights sold until the full purchase price is paid. If the Buyer chooses not to extend the option or options after the Farm Credit mortgage ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS and NO/100 DOLLARS (\$135,000.00) plus interest is paid, those tracts paid for by the Buyer beginning with tract 2 shall become the property of the Buyer.

DK JCL
VKL

DK JCL
VKL

3. **WATER RIGHTS:** The parties hereby acknowledge that there are water rights for the purpose of irrigation which are appurtenant to the real property. Allocation of the purchase price among the classes of assets shall not be construed as granting Buyer the right to purchase one class of property or portion of the property without purchasing all of the property.

4. **ZONING:** Minidoka County presently zones the real property as "A-Agriculture".

5. **LIENHOLDERS:** The lienholders are to receive their per acre share of the proceeds of the sells in order of the priority of their liens. The monies will be paid to the lienholders as each property sales. Seller will sign quitclaim deed as each property is sold.

6. **POSSESSION OF THE REAL PROPERTY:** Delivered to Buyer at the time of closing as each transfer is approved by the IDWR. The Seller shall have possession of the land for the year of 2001 farming season. When the individual crops are finished the water transfers can be closed. Wheat will be finished approximately the middle of July and Sugarbeets approximately the middle of October. Seller will maintain the irrigation equipment in good operating condition, and be prepared to deliver the same to Buyer in good operating condition. The Seller will pay all real property taxes and assessments of the ground water district for the year 2001. The Buyer agrees not to remove any irrigation equipment and that Seller has the use of said equipment until all 374 acres are sold or other arrangements are made between Buyer and Seller.

SCANNED

MICROFILMED

MAY 15 2003

OCT 20 2003

January 18, 2001

7. **ATTORNEY'S FEES:** In the event any action is filed to enforce or recover under any provision of this contract, the prevailing party in such suit shall be entitled to reasonable attorney's fees, in addition to ordinary cost of suit.

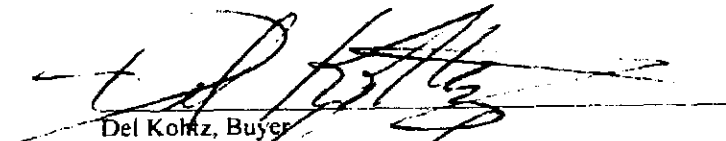
8. **BINDING EFFECT OF CONTRACT:** Subject to the restrictions on assignments herein set forth, this contract, and the terms, conditions, and provisions hereof shall inure to and be binding upon the respective heirs, personal representatives, and assigns of the parties.

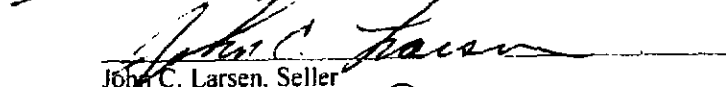
9. **COSTS AND ENTIRE AGREEMENT:** The Buyer will be responsible for all costs of the applications for transfer of the water rights, and shall hold the Seller harmless from said expenses. Seller will pay for the survey of the approximately 23.5 acres that will be retained by the Seller. No water right will be retained for this parcel.

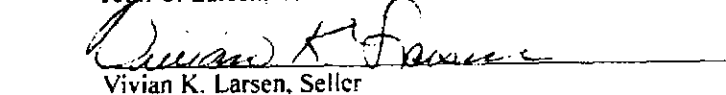
10. **TAX AND LEGAL CONSEQUENCES:** It is understood and agreed that each party hereto has relied upon his own legal and/or tax consultant or representative and not upon any representations of the other party as to the legal and/or tax consequences of this agreement.

11. **REMEDIES:** If Buyer fails or refuses to comply with the conditions assumed by them, or to perform all their obligations hereunder, Seller may, at their option rescind and terminate this contract, whereupon all rights and obligations hereunder shall cease.

IN WITNESS WHEREOF the parties have executed this instrument, in duplicate, on the day and year first above written.


Del Koltz, Buyer


John C. Larsen, Seller


Vivian K. Larsen, Seller

SCANNED

MICROFILMED

MAY 15 2003

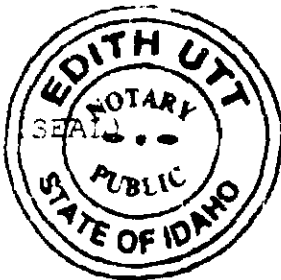
OCT 20 2003

STATE OF IDAHO)

County of Jerome) ss.

On this 18th day of January, in the year of 2001, before me the undersigned notary public in and for said state, personally appeared JOHN C. LARSEN and VIVIAN K. LARSEN, husband & wife, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Edith UTT
Notary Public
Residing at 320 W. Wilson Eden ID 83325
My Commission expires June 20 2003

STATE OF IDAHO)

County of Jerome) ss.

On this 18th day of January, in the year of 2001, before me the undersigned notary public in and for said state, personally appeared DEL KOHTZ, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Edith UTT
Notary Public
Residing at 320 W. Wilson Eden ID 83325
My Commission expires June 20 2003

TO: 12088255063

TAKE CHECK PAYABLE TO:
MINIDOKA CO TAX COLLECTOR
LAURA TMISS
PO BOX 368, RUPERT, ID 83350
PHONE 208-436-7188

2003 TAX BILL/RECEIPT

00000 7015 CODE AREA 11-00

PARCEL NUMBER
R0652245300600A

51,878
72,542

1ST HALF DUE
TAX 807.89
LATE
INT
COST
TOT

2ND HALF DUE
TAX 807.89
LATE
INT
COST
TOT

FULL DUE
TAX 1,615.78
LATE
INT
COST
TOT 3,231.56

ARSEN JOHN C & VIVIAN
29 S 2900 E
AUL ID 83347

W2NE4 NE4NW4 30-6-22

TAXING DISTRICT	RATE	AMOUNT
STATE	•00000000	
COUNTY	•00360000	442.90
INDIGENT - CO	•00020000	35.16
SCHOOL	•00100000	631.76
HIGHWAY	•00100000	131.62
CEMETERY 2	•00100000	15.08
WEST END FIRE	•00100000	135.88
HOSPITAL	•00020000	34.32
DISTRICT TOTAL	•01156009	1,438.78
SOLID WASTE FEE		70.00
M V GROUNDWATER DIST		107.00
AMOUNT DUE		1,615.78

1200 W 550 N

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK
★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE CURRENT DELINQUENT YEAR
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTDATED BY THE DUE DATE.
(KEEP TOP PORTION FOR YOUR RECORDS;
PERSONAL CHECKS ARE YOUR RECEIPT;
SUBJECT TO CLEARANCE)

WHEN PAYING IN PERSON, PLEASE PAYING ENTIRE BILL
IF MAILING PAYMENT, SEND APPLICABLE STUB BELOW

SCANNED
SEP 18 2003

MICROFILMED
OCT 20 2003

T# 69348

1999 TAX BILL/RECEIPT

PARCEL NUMBER
RPO4S16E347800A

CHECK PAYABLE TO:
LINCOLN COUNTY TAX COLLECTOR
THY GUIROGA
3 BOX 725
SHOSHONE, ID 83352

BILL# 1906 CODE AREA 4-00

L 15.643
I 21.180
P 201.055
TOT MV 237.878

1ST HALF DUE 2,120.16
2ND HALF DUE 2,120.16

TAX 2,120.16
LATE
INT
COST
TOT

FULL DUE 4,240.32
TAX 4,240.32
LATE
INT
COST
TOT

TOT ACS 40.000

TAXING DISTRICT	RATE	AMOUNT
STATE	000000000	884.48
LINCOLN COUNTY	003718208	2,306.62
S SCHOOL #312	009696681	313.96
SHOSHONE HWY 2	001319869	61.34
SHOSHONE CEMETERY	000257895	482.24
LIN CEMETERY	002170003	99.68
WOOD RIVER FIRE	000419061	4,148.32
RECREATION DIST	000419061	92.00
DISTRICT TOTAL	017581717	4,240.32
SOLID WASTE		
AMOUNT DUE		

GOODCH ELLIS L ET UX
670 N 650 W ID 83352
SHOSHONE

NWSE
34-4-16
1979 24X56 SKYLINE MH

★ ★ ★ IMPORTANT ★ ★ ★
★ ★ PLEASE READ BOTH FRONT AND BACK ★ ★ ★
★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★
★ ★ PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
★ ★ APPLIED TO BACKLOGGED DELINQUENCY YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

TH/F DATE BY CK/CS
SH DATE BY CK/CS

SCANNED
SEP 18 2003
MICROFILMED
OCT 28 2003

T#69348

PARCEL
RP04S16E35360AA
25,920
18,388

1999 TAX BILL/RECEIPT

E CHECK PAYABLE TO:
ICOLN COUNTY TAX COLLECTOR
HY GUIROGA

BILL# 1911 CODE AREA 4-00

BOX 725
SHONE, ID 83352

1ST HALF DUE
361.37

2ND HALF DUE
361.37

FULL DUE
722.74

TOT MV 44,308

TAX
LATE
INT
COST
TOT

TAX
LATE
INT
COST
TOT

TOT ACS 79,000

GOODCH ELLIS L ET UX
670 N 650 W ID 83352
SHOSHONE

TAXING DISTRICT		RATE	AMOUNT
STATE	000000000		164.74
LINCOLN COUNTY	003718208		429.64
S SCHOOL #312	009696681		58.48
SHOSHONE HWY 2	001319869		11.42
SHOSHONE CEMETERY	000257895		39.90
LIN CEMETERY	002170003		18.56
WOOD RIVER FIRE	000419061		722.74
RECREATION DIST	017581717		
AMOUNT DUE			

51/2NM LESS 1 AC
35-4-16

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK ★ ★ ★
★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENCY YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

FH/F DATE BY CK/CS
SH DATE BY CK/CS

SCANNED
SEP 18 2003
MICHO
OCT 2 8 2003
SCANNED
SEP 18 2003

1999 TAX BILL/RECEIPT

PARCEL 1 101
RPO4S16E341800A

E CHECK PAYABLE TO:
COLN COUNTY TAX COLLECTOR
HY GUIROGA

BILL# 1900 CODE AREA 4-00

L
I
50,260
46,680

1 BOX 725
SHONE, ID 83352
1ST HALF DUE
843.65

2ND HALF DUE
843.65

FULL DUE
1,687.30

TOT MV 96,940

TAX
LATE
INT
COST
TOT

TAX
LATE
INT
COST
TOT

TOT ACS 160.000

GODCH ELLIS L
& GODCH BEATRICE J
670 NORTH 650 WEST
SHOSHONE ID 83352

SENE, NESE & S1/2SE
34-4-16

TAXING DISTRICT	RATE	AMOUNT
STATE	000000000	360.44
LINCOLN COUNTY	003718208	940.00
S SCHDOL #312	009696681	127.94
SHOSHONE HWY 2	001319869	25.00
LIN CEMETERY	000257895	101.30
WOOD RIVER FIRE	002170003	40.62
RECREATION DIST	000419061	1,595.30
DISTRICT TOTAL	017581717	92.00
SOLID WASTE		
AMOUNT DUE		1,687.30

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK
★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★
★ ★ PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENCY YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

FH/F DATE _____ BY _____ CK/CS _____
SH DATE _____ BY _____ CK/CS _____

SCANNED
SEP 18 2003

MICROFILMED
OCT 28 2003

1999 TAX BILL/RECEIPT

RP04616E346600A
12,935

CHECK PAYABLE TO:
COLN COUNTY TAX COLLECTOR
MY GUIROGA
BOX 725
SHONE, ID 83352
1ST HALF DUE
76.15

BILL#

1905

CODE AREA 34-00

L

2ND HALF DUE
76.15

FULL DUE
152.30

TOT MV

12,935

TAX
LATE
INT
COST
TOT

TAX
LATE
INT
COST
TOT

TOT ACS

40.000

GDOCH ELLIS L ET UX
670 N 650 W
SHOSHONE ID 83352

TAXING DISTRICT
STATE
LINCOLN COUNTY
G SCHOL #231
SHOSHONE HWY 2
LIN CEMETERY
WOOD RIVER FIRE
RECREATION DIST
AMOUNT DUE

RATE
000000000
003718208
006060393
001319869
000257895
002170003
000419061
013945429

AMOUNT
48.10
78.38
17.06
3.34
5.42
152.30

SESW
34-4-16

★ ★ ★ IMPORTANT ★ ★ ★
★ ★ ★ PLEASE READ BOTH FRONT AND BACK ★ ★ ★
★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

APPLIED TO THE OLDEST DELINQUENT YEAR
PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
TO AVOID LATE CHARGES PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

FH/F DATE BY CK/CS
SH DATE BY CK/CS

SCANNED
SEP 18 2003

MICROFILMED

0274/2004 9 2

801-295-3087

Marion



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 29, 2003

ELLIS GOOCH
BEATRICE GOOCH
724 W 620 N
SHOSHONE ID 83352

RE: Transfer No.: 69348 - Water Rights 36-15732 (renumbered to 37-21154),
36-15735 (renumbered to 37-21155), 36-15737 (renumbered to 37-21156),
37-10223 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's homepage on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

MICROFILMED

OCT 20 2003

SCANNED
SEP 30 2003

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Samela S. Skaggs

for Jeff Peppersack, Manager
Water Rights Permits Section

Enclosure(s)

c: BARKER ROSHOLT & SIMPSON LLP

MICROFILMED

OCT 20 2003

SCANNED
SEP 30 2003

CERTIFICATE OF SERVICE

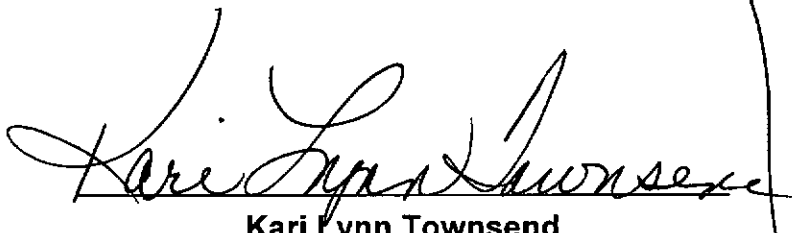
I hereby certify that on September 29, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69348

**WATER RIGHTS 36-15732 (renumbered to 37-21154), 36-15735
(renumbered to 37-21155), 36-15737 (renumbered to 37-21156),
37-10223**

**ELLIS GOOCH
BEATRICE GOOCH
724 W 620 N
SHOSHONE ID 83352**

**BARKER RSHOLT & SIMPSON LLP
JOHN K SIMPSON
PO BOX 2139
BOISE ID 83701-2139**


**Kari Lynn Townsend
Secretary**

MICROFILMED

OCT 20 2003

**SCANNED
SEP 30 2003**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 this 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 fourteen (14) 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 this 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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.

69348

WATER RIGHT NO.

36-2676 etc

69348

Transfer Review Sheet

Applicant Gooch Transfer # 69348
Amended

Rights Involved with Transfer:

WR# _____

AJ# _____

Right ID Correct? Y or N Y or N Y or N Y or N Y or N Y or N

Split? Y or N Y or N Y or N Y or N Y or N Y or N

Unchanged # _____

Changed # _____

Area of Concern: _____

Comment Letters:

	Date Requested	Date Received
Watermaster: District <u>130</u>	_____	_____
Fish & Game	_____	_____
Canal Company	_____	_____
Stream Channel	_____	_____
City	_____	_____
DEQ	_____	_____
County	_____	_____
Department of Ag	_____	_____
Other	_____	_____

<u>SDE:</u>		Shape Updated		Shape Updated
Right Number	POD ID #		POU ID #	
<u>36-15732</u>	<u>595627</u>	<u>✓</u>	<u>Com 682136</u>	<u>✓</u>
	<u>595628</u>	<u>✓</u>	<u>Stock 682137</u>	<u>✓</u>
<u>36-15735</u>	<u>595629</u>	<u>✓</u>	<u>Com 682139</u>	<u>✓</u>
	<u>595630</u>	<u>✓</u>	<u>Stock 682138</u>	<u>✓</u>
<u>36-15737</u>	<u>595631</u>	<u>✓</u>	<u>Com 682147</u>	<u>✓</u>
	<u>595632</u>	<u>✓</u>	<u>Stock 682148</u>	<u>✓</u>
<u>36-10223</u>	<u>595620</u>	<u>✓</u>	<u>Com 682127</u>	<u>✓</u>
	<u>595622</u>	<u>✓</u>	<u>Com 682128</u>	<u>✓</u>
			<u>Stock 682129</u>	<u>✓</u>

69348

Conditions:**GROUNDWATER:**

DRILLING PERMIT - 046
 DP upgrade req'd ___Y ___N (contact GW)

WMD - North/East/West
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 067

~~WMD~~
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M or 01Q

SURFACE WATER:

WD - R05
 ≤ 0.20 cfs/others - R02, 01P or No MD
 > 0.20 cfs - R43
~~WD~~, SPRINGS/SINK, INACTIVE WD & REST OF STATE
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON _____ to _____ (use X61 if extended season)
 STANDARD VOLUME _____ af/ac
 CONSUMPTIVE USE VOLUME _____ af/ac

**SUPPLEMENTAL
 SUPPLEMENTAL
 WITHIN ESPA**

- 065-104 (where irrigation is the only use)
- 100-105 (where there are other uses besides irrigation)
 - 113-114-116 (mitigation)
 - 115 (meas. Device for non-irrig uses or new irrig systems)
 - 131 (existing irrig systems)

USES:

STORAGE - 18C-R02-01P-18B-NA
 IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
 > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
 Volume only - R58/R59/R60/R61
 STOCKWATER - R37 (all BLM/USFS)
 MINING- 054-106
 FISH PROP - 029 (70's basins only)-007-122-106
 HEAT/COOL - R07 (injection well)
 FIRE PROT. - 077
 DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER - 17H-17K (+uses)-025-106
 MUNICIPAL
 Restricted area - 022-075 RAFN - 007-109-X64
 Irr., GW supp to SW - 102
 DOMESTIC
 Surface water - WB5 (Big Wood or Boise above Star Bridge)
 - 27A (Payette River)
 - 070-071-075 (no parks/common areas, etc)
 - WB5
 >1 in restricted area
 Irr use listed separate

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
 T08 - comply or rescind
 T17 - >1 pd, measure all (use w/ WB4)
 T18 - Special T17 & R43 combined -
 multiple pds in WD

Protested - 020-X19
 Water Quality - 106-R07

X27 - Number of acres/season in ppu
 X35 - Combined totals of multiple rts
 083 - replaces C11 (enlargement rights)

X49 - measure p/d's (source chg'd to orig trib)
 X51 - 2+ yrs to develop
 X53 - Use ltd to orig. source availability
 X54 - forfeited ac/rate (used rarely)
 X55 - (transfer shrinks total water to less ac)
 004 - no right-of-way
 X58 - pending claim (statutory or AJ b/u claim)
 X61 - extended irr season
 X62 - replaces N11 and N13
 X63 - replaces C12
 WB4 - + p/ds, cfs & afa (used with T17)
 WD8 - land application of waste water
 01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01M)

Apply one to chg'd & unchg'd rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt yet)
 T19 - replaces C18
 (if at Directors Report or Partial Decree stage)
 T20 - use only on unchg'd rts not subject to SRBA

OTHER CONDITIONS/REMARKS:

Initial Allocation Review by _____
 SRBA Review Completed by _____
 Regional Manager Review by _____

Date _____
 Date _____
 Date 9/15/02

Comments:

Approval Updates Completed
9-29-2003 *CR*

IDWR TRANSFER ANALYSIS SHEET

APPLICANT

Elvis Good

TRANSFER NO.

69348

1. Right number(s)

36-2676 etc

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: _____

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: _____

69348

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

- 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)

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

INITIAL ALLOCATION REVIEW BY

SRBA SUPERVISOR REVIEW BY

PUBLICATION REVIEW BY

DATE _____

DATE _____

DATE

1. Legal Notice electronically sent to DWR03::VAULT Yes

2. COMMENT LETTERS Copy of Pg 1 to AJ ✓ Yes 9/24/01

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. 1 Approve

2. Deny due to

- ### 3. Conditions (special conditions in Water Districts)

Also see attached memo for recommendation dated:

- 4. By**

Date _____

MEMORANDUM

Date: September 11, 2003
To: Transfer 69348
From: amerritt
Re: Amended Evaluation and Recommendation

Evaluation of Sufficiency of Information Submitted (Transfer 69348 in the name of Ellis & Beatrice Jo Gooch)

This transfer was initially evaluated in May of 2003. Once the protest was withdrawn by Clear Springs and in preparation of the approval and creation of the shape files in SDE it was determined that there may be an error in legally describing the place of use. On further investigation and questioning of the applicant through his representative, Del Kohtz, it was found that the intended location of the dairy was at a slightly different site on the applicant property. An amended application was prepared so that the applicant could confirm his intention. The applicant has returned the application confirming the intended location of the expansion. They have also acknowledged the mitigation plan prepared by Brockway Engineering that involve a future reduction of pumping at the site. The original application was advertised in a general manner and would cover even the amended application. It was determined not to re-advertise the application.

This transfer initially proposes to dry up 5 acres of land (15.0 afa consumptive use volume) which is a portion of a PPU of 372 acres known as the Larsen farm. The Larsen farm is irrigated using rights 36-7044, 36-2676 and 36-7158 from ground water. The water from the land to be dried up is proposed to be converted from irrigation to commercial and stockwater uses at a heifer operation. The transfer moves the water across the ESPA approximately 39 miles down gradient toward the northwest from the Larsen farm to the site of the heifer operation. Note that the site of the heifer operation has an existing domestic and stockwater right 37-10223. (Note that the original application included 37-10224 however the site of where the heifer ranch is located is the site of 37-10223 so this has been corrected in the amended application. Additionally the site already has two wells. The second well was drilled in association with permit 37- 8839 that is pending field inspection for licensing purposes. Permit 37-8839 is not part of this transfer.)

The transfer proposes to utilize the existing wells at the heifer site. The application has been augmented by a mitigation plan taking into account the historical use of the water at the Larsen farm. The mitigation plan proposes a stepped schedule of use to prevent injury to the Milner to King Hill reach of the Snake River as a result of the proposed transfer. Affects on the other reaches of the Snake River are calculated to be positive as a result of the transfer.

Authority to File:

The subject land being dried up involved in the transfer is owned by John and Vivian Larsen. The file contains an agreement for purchase and sale of subject lands from John and Vivian Larsen to Del Kohtz. Also in the file is an agreement for purchase and sale of 15 afa of water from subject rights from Del Kohtz to Ellis Gooch. (15 afa equates to 5 acres of the original place of use based on CU of 3 afa/acre)

Water Right Validity:

All rights involved in the transfer have been recently decreed in the SRBA with dates of partial decrees ranging from 12/ 1996 to 1/ 1998. Forfeiture does not appear to be an issue. Included with the

MICROFILMED
OCT 20 2003

SCANNED
SEP 18 2003

MEMORANDUM

application are documents evidencing the recent use of the irrigation rights in years 1996 through 2000.

Injury to Other Water Rights:

Included with the application is a proposed mitigation plan prepared by Brockway Engineering. The plan is based on modeling of the ESPA and involves a stepped reduction of use at the heifer operation and acknowledges the historical use of the Larsen rights.

Enlargement of Use:

Due to the irrigation rights being changed to commercial needs an analysis of the historical use information has been made for the Larsen farm. Based on this analysis the consumptive use allowable to be transferred from the Larsen farm should be limited to no more than 2.69 afa per acre of dried up land for conversion of nature of use. The mitigation plan utilizes this limit in the analysis.

Local Public Interest:

The heifer operation has existed for a few years and continues to provide jobs and tax base for the local economy. No adverse impacts have been identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

The application was originally advertised and protested by Clear Springs. Negotiations have resulted in withdrawal of the protest.

Other issues:

Proposed use within WD 130 and the Watermaster has expressed concerns about the mitigation plan calling for reduction of us in the future. Although this concern is noted it should not prevent approval of the transfer.

Proposed use is within basin 37 so split portions of the Larsen Rights need to be numbered to Basin 37 numbers.

The transfer has been processed in parallel with the state office. I recommend that the transfer be approved with conditions as drafted.

SCANNED
MICROFILMED
OCT 20 2003
SEP 18 2003

Date 8-25-03

To whom it may concern,

I understand that the mitigation requirements of my water transfer dictate a reduction of pumping in the future.

Ellis Gooch Beatrice Jo Gooch
Ellis Gooch Jo Gooch

SCANNED

SEP 18 2003

MICROFILMED

OCT 20 2003



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

June 25, 2003

Charles E. Brockway
Brockway Engineering
2016 N Washington St, Suite 4
Twin Falls, ID 83301

VIA FAX

RE: Gooch Transfer No. 69348

Dear Chuck:

Please find attached the watermaster comments for the referenced transfer.

These negative comments raise an issue as to how the applicant intends to meet the future restrictions on their water use that would be a result of the present mitigation plan. (As proposed the allowable annual volume decreases over time)

I have discussed this matter with the state office and we have decided it appropriate to seek comment from the applicant as to how they intend to meet such restrictions. For example is it the intention to eventually seek more water to be transferred to the dairy? Do they intend to reduce the size of the dairy? Are they fully aware of the impact of the present mitigation plan?

Please provide a statement from the applicant as to their intentions regarding this matter.

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

Sincerely,

Allen Merritt, PE
Southern Region Manager

CC: Del Kohtz
Cindy Yenter – WD130 watermaster

MICROFILMED

OCT 20 2003

SCANNED

JUN 25 2003

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No: Transfer 69348
Water Right No: 36-02676 et al
Applicant Name: Gooch, Ellis and Beatrice

Watermaster's Recommendation:

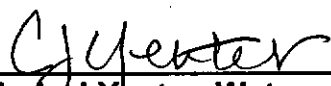
- a) ☐ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☒ **I oppose approval** of this application for the following reasons:

The mitigation plan as presented (diversions of the full 13.5 afa for the first 10 years, then a stepped *reduction* in use) is not acceptable. This is a ridiculous proposal which literally baits this water user or their successor into eventual non-compliance after a permanent use is established at a greater volume. Even though the mitigation plan may meet the technical criteria of the transfer memo, it does not meet the common sense criteria necessary for actual administration of the right within the Water District. I believe the approval of this plan as written will create more problems than it solves. The water rights transfer model suggests that a single-step reduced annual volume of around 9.4 afa (3.13 af/trimester), diverted from spring 2003 on, also mitigates the depletion in the Milner-King Hill reach within 5% of the without-transfer curve, but without the false security and inherent problems of the present reverse-stepped proposal. If an alternate mitigation plan is submitted I would endorse this application with appropriate conditions of use.

- d) ☐ Additional comment:

Dated: June 19, 2003

Water District 130


Cindy J Yenter, Watermaster

MICROFILMED

OCT 20 2003

SCANNED

JUN 25 2003

TRANSMISSION VERIFICATION REPORT

TIME : 06/25/2003 11:51
NAME : IDWR SOUTHERN REGION
FAX : 2087363037
TEL : 2087363033

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

06/25 11:50
97368506
00:00:31
01
OK
STANDARD
ECM

MICROFILMED

OCT 20 2003



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

May 28, 2003

JOHN K. SIMPSON
BARKER ROSHOLT & SIMPSON
PO BOX 2139
BOISE ID 83701-2139

Re: Application for Transfer No. 69348 - Gooch

Dear Mr. Simpson:

This office acknowledges receipt of the withdrawal of the protest on behalf of Clear Springs Foods, Inc. against the above referenced application.

Since your clients were the only protestant, the issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of the application which includes regional review prior to being forwarded to our State Office.

The Department will continue review of the application without further contact with you unless information is requested.

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

Very truly yours,

Allen D. Merritt, P.E.

Southern Region Manager

AM:mb

Cc:
CHRISTOPHER H. MEYER ESQ
GIVENS PURSLEY
PO BOX 2720
BOISE ID 83701-2720

DEL KOHTZ
1135 VALLEY RD SOUTH
EDEN ID 83325

MICROFILMED

OCT 20 2003

SCANNED

JUN 25 2003

John A. Rosholt
John K. Simpson
Amy D. Chestnut
BARKER ROSHOLT & SIMPSON, LLP
1221 W. Idaho, Suite 600
P.O. Box 2139
Boise, ID 83701-2139
Telephone: (208) 336-0700
Fax: (208) 344-6034
ISB #1037, 4242, 5904

RECEIVED

MAY 27 2003

Department of Water Resources
Southern Region

Attorneys for Protestant Clear Springs Foods, Inc.

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR
TRANSFER NUMBER 69348 in the Name of
ELLIS AND BEATRICE JO GOOCH,
Water Right Nos. 36-02676, 36-07044, 36-
07158, 37-10224

NOTICE OF WITHDRAWAL

Protestant, CLEAR SPRINGS FOODS, INC., by and through its attorneys of record, Barker Rosholt & Simpson, LLP, and the applicants Ellis and Beatrice Jo Gooch, by and through their attorney of record, Givens Pursley, LLP hereby withdraw of the protest filed in regards to the Application for Transfer Number 69348 in the Name of Ellis and Beatrice Jo Gooch.

This withdrawal is conditioned upon representations by the Department of Water Resources regarding its preliminary review of the transfer consistent with Department policy and the Stipulation attached as Exhibit A. Clear Springs Foods, Inc. hereby withdraws its protest without prejudice, and based upon the Department issuing a Decision in the above-mentioned transfer consistent with the parties' Stipulation.

NOTICE OF WITHDRAWAL
S:\CLIENTS\6131\12\Notice of Withdrawal.DOC

SCANNED

MAY 28 2003

MICROFILMED

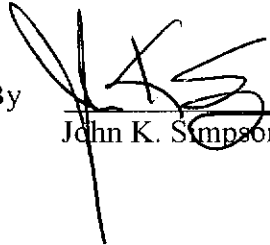
OCT 20 2003

Page 1 of 3

Clear Springs Foods has not waived its right to protest any other applications filed subsequently by the Applicant.

DATED this 23rd day of ~~April~~^{May}, 2003.

BARKER ROSHOLT & SIMPSON, LLP

By _____
John K. Simpson

GIVENS PURSLEY LLP

By _____
Christopher H. Meyer

CERTIFICATE OF MAILING

I hereby certify that on this 13 day of ^{May}~~April~~, 2003, I served a copy of the foregoing
NOTICE OF WITHDRAWAL, be depositing same in the United States mail, postage prepaid, in
an envelope, addressed to the following:

Christopher H. Meyer
Givens Pursley LLP
P.O. Box 2720
Boise, ID 83701

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

Original sent to:
Allen Merritt
Southern Region Manager
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Brenda L. Knight

MEMORANDUM

RECEIVED

MAY 27 2003

Department of Water Resources
Southern Region

Date: May 21, 2003
To: Transfer 69348
From: amerritt
Re: Evaluation of sufficiency

Evaluation of Sufficiency of Information Submitted (Transfer 69348 in the name of Ellis & Beatrice Jo Gooch)

This transfer initially proposes to dry up 5 acres of land (15.0 afa consumptive use volume) which is a portion of a PPU of 372 acres known as the Larsen farm. The Larsen farm is irrigated using rights 36-7044, 36-2676 and 36-7158 from ground water. The water from the land to be dried up is proposed to be converted from irrigation to commercial and stockwater uses at a heifer operation. The transfer moves the water across the ESPA approximately 39 miles down gradient toward the northwest from the Larsen farm to the site of the heifer operation. Note that the site of the heifer operation has an existing domestic and stockwater right 37-10224. The transfer proposes to utilize the existing well and also drill one new well at the heifer site. The application has been augmented by a mitigation plan taking into account the historical use of the water at the Larsen farm. The mitigation plan proposes a stepped schedule of use to prevent injury to the Milner to King Hill reach of the Snake River as a result of the proposed transfer. Affects on the other reaches of the Snake River are calculated to be positive as a result of the transfer.

Authority to File:

The subject land being dried up involved in the transfer is owned by John and Vivian Larsen. The file contains an agreement for purchase and sale of subject lands from John and Vivian Larsen to Del Kohtz. Also in the file is an agreement for purchase and sale of 15 afa of water from subject rights from Del Kohtz to Ellis Gooch. (15 afa equates to 5 acres of the original place of use based on CU of 3 afa/acre)

Water Right Validity:

All rights involved in the transfer have been recently decreed in the SRBA with dates of partial decrees ranging from 12/ 1996 to 1/ 1998. Forfeiture does not appear to be an issue. Included with the application are documents evidencing the recent use of the irrigation rights in years 1996 through 2000.

Injury to Other Water Rights:

Included with the application is a proposed mitigation plan prepared by Brockway Engineering. The plan is based on modeling of the ESPA and involves a stepped reduction of use at the heifer operation and acknowledges the historical use of the Larsen rights.

Enlargement of Use:

Due to the irrigation rights being changed to commercial needs an analysis of the historical use information has been made for the Larsen farm. Based on this analysis the consumptive use allowable to be transferred from the Larsen farm should be limited to no more than 2.69 afa per acre of dried up land for conversion of nature of use. The mitigation plan utilizes this limit in the analysis.

Local Public Interest:

The heifer operation has existed for a few years and continues to provide jobs and tax base for the local economy. No adverse impacts have been identified.

SCANNED

MAY 28 2003

MICROFILMED

OCT 20 2003

MEMORANDUM

Beneficial Use/Conservation of Water Resources:
No issues identified.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

The application has been advertised and protested by Clear Springs. Negotiations continue regarding withdrawal of the protest.

Other issues:

Proposed use within WD 130 so need Watermaster comments.

Proposed use is within basin 37 so split portions need to be numbered with basin 37 numbers.

MICRO
OCT 20 2003

SCANNED
MAY 28 2003

MAY 27 2003

Department of Water Resources
Southern Region

Stipulations Regarding Mitigation
Transfer Number 69348
Ellis and Beatrice Jo Gooch

April 25, 2003

1. Mitigation

The Applicant has agreed to reduce pumping of those water rights under this water right transfer in a quantity sufficient to assure that no additional impact to the Milner to King Hill reach or any other reach of the Snake River is experienced. The quantity of reduced pumping has been calculated and agreed to by the Parties. The reduced pumping schedule mitigates for the impact of the full annual volume applied for in the transfer application. The quantity of reduced pumping for each year is set out in the table(s) appended hereto. These mitigation requirements will be incorporated by the Department into the transfer approval and set out as permanent conditions on the affected water rights.

2. Monitoring of mitigation requirements

Discharge from the new well(s) will be monitored by the Applicant, in accordance with the Director's new water right transfer guidance or other applicable requirements as determined by the Director. The quantity of pumped volumes will be reported annually to IDWR .

3. Positive impacts on other reaches

The Department does not currently have a mechanism in place to recognize the positive impacts that a transfer may have on other river reaches within the Eastern Snake Plain Aquifer.

The Applicant and the Protestant have agreed that no "reach credits" will be recognized in conjunction with the approval of this transfer at this time. The Parties have agreed, however, that if such "reach credits" are recognized in the future by the Department or other appropriate entity, the Applicant retains the right to apply for such credits based on this transfer.

Likewise, the Protestant retains the right to oppose their recognition. If and when such credits are subsequently recognized, they will accumulate only from that point in time forward.

4. No reopening of mitigation calculation

The Applicant and the Protestant have agreed that the quantification of the mitigation obligation (as set out in the attached table(s)) will be permanent. The quantity of mitigation will not be subject to re-opening, re-examination, or re-calculation, except by mutual agreement and approval by the Department. This restriction applies even in the event that new data, new modeling or other information becomes available.

5. Substitute mitigation

As specified above, the mitigation will be provided in the form of reduced pumping. No other method of achieving the mitigation may be substituted by the Applicant, except upon approval of the Department of an application for modification of the mitigation requirement as provided for by law. Moreover, the Protestant shall be given notice of such application.

In any event, the Protestant will not be required to accept any substitute form of mitigation that is less effective than the original mitigation. Specifically, any substitute mitigation must be "in kind" (meaning that it must provide a substitute supply of water—rather than some other kind of compensation—to make up for the depletions caused by the transfer), "in time" (meaning that the make-up water must be provided so as to reach the impacted area at the appropriate time to respond to the depletion caused by the transfer), and "in place" (meaning that the replacement must provide water to same area as the depletions are experienced). Finally, the substitute mitigation must provide water to the depleted impacted areas with the same degree of certainty and reliability as the original mitigation.

Table 1 Proposed Pumping Schedule

Mitigation Plan

TRANSFER NO 1
 Applicant: Gooch-Larsen
 Transfer # 69348
 FROM: Larsen
 TO: Gooch Dairy
 Model Node 9 22
 17 12

Acres dried up to transfer
 Allowed vol. transfer
 Volume Transferred:
 5 acres Larsen
 2.69 af/a
 13.5 af/year
 4.5 af/trimester

TRANSFER NO 2
 Applicant: 0
 Transfer # 0
 TO: 0
 Model Node 9 22
 0 22
 0 9 22
 0 acres
 4 af/a
 0.0 af/year
 0.0 af/trimester

MITIGATION ACRES (if any)
 Additional acres dried up
 Allowed transfer
 Volume (Mitigation)
 acres FROM:
 af/a
 0.0 af/year
 af/trimester
 Model Node

Years	Begin	End	Number	Actual Af/yr	Mitigation Acres	Source	Gooch Dairy Pumping af/year	Percent Reduction	Percent Reduction	ANNUAL PUMPING	Pumping af/year	Percent Reduction	Percent Reduction
2003			1		Reduced Pumping	13.5	1.00	0.00	0	0.00	0.00	0	1.00
2004			1		Reduced Pumping	13.5	1.00	0.00	0	0.00	0.00	0	1.00
2005			1		Reduced Pumping	13.5	1.00	0.00	0	0.00	0.00	0	1.00
2006			1		Reduced Pumping	13.5	1.00	0.00	0	0.00	0.00	0	1.00
2007			1		Reduced Pumping	13.5	1.00	0.00	0	0.00	0.00	0	1.00
2008			5		Reduced Pumping	13.5	1.00	0.00	0	0.00	0.00	0	1.00
2013			5		Reduced Pumping	13.5	1.00	0.00	0	0.00	0.00	0	1.00
2018			5		Reduced Pumping	10.8	0.80	0.20	0	0.20	0.00	0	1.00
2023			9		Reduced Pumping	8.9	0.66	0.34	0	0.34	0.00	0	1.00
2032			11		Reduced Pumping	8.7	0.65	0.35	0	0.35	0.00	0	1.00
2043			10		Reduced Pumping	9.4	0.70	0.30	0	0.30	0.00	0	1.00
2053			20		Reduced Pumping	9.4	0.70	0.30	0	0.30	0.00	0	1.00
2072					Reduced Pumping	9.4	0.70	0.30	0	0.30	0.00	0	1.00
2073 >>>>					Reduced Pumping	9.4	0.70	0.30	0	0.30	0.00	0	1.00

Mitigation for impacts to reaches of the Snake River will be achieved by reduced pumping at the proposed place of use according to the above table..

MICROFILMED
 OCT 20 2003

SCANNED
 MAY 28 2003

RECEIVED
 MAY 27 2003
 Department of Water Resources
 Southern Region

IDAHO DEPARTMENT OF WATER RESOURCES

17
12
22

	Spring	Summer	Fall
Percent pumped	70	80	90

OCT 20 2003

**Department of Water Resources
Southern Region**

SUM 1979	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1979	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1980	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1980	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1980	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1981	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1981	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1981	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1982	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1982	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1982	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1983	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1983	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1983	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1984	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1984	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1984	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1985	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1985	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1985	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1986	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1986	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1986	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1987	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1987	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1987	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1988	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1988	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1988	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1989	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1989	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1989	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1990	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1990	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1990	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1991	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1991	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1991	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1992	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1992	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1992	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1993	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1993	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1993	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1994	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1994	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1994	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1995	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1995	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1995	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1996	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1996	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1996	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1997	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1997	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1997	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1998	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1998	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1998	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 1999	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 1999	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 1999	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 2000	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 2000	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 2000	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 2001	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SUM 2001	0.00	1.57	1.57	2.06	2.06	0.85	0.85
WIN 2001	0.00	1.57	1.57	2.06	2.06	0.85	0.85
SPR 2002	0.00	1.57	1.57	2.06	2.06	0.85	0.85

MICROFILMED

OCT 20 2003

RECEIVED

MAY 27 2003

SCANNED

MAY 28 2003

Department of Water Resources
Southern Region

SLM 2002	0.00	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2002	0.00	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2003	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2003	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2004	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2004	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2005	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2005	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2006	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2006	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2007	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2007	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2008	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2008	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2009	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2009	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2010	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2010	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2011	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2011	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2012	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2012	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2013	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2013	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2014	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2014	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2015	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2015	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2016	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2016	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2017	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2017	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2018	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2018	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2019	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2019	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2020	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2020	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2021	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2021	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2022	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2022	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2023	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2023	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2024	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2024	4.48	0.00	1.57	0.00	2.05	0.00	0.85
SLM 2025	4.48	0.00	1.57	0.00	2.05	0.00	0.85
WIN 2025	4.48	0.00	1.57	0.00	2.05	0.00	0.85

MICROFILMED

DEC 28 2003

RECEIVED

MAY 27 2003

SCANNED

MAY 28 2003

Department of Water Resources
Southern Region

SUM 2012	3.14	0.00	1.57	0.00	2.06	0.00	0.85
WIN 2012	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SPR 2012	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SUM 2013	3.14	0.00	1.57	0.00	2.06	0.00	0.85
WIN 2013	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SPR 2013	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SUM 2014	3.14	0.00	1.57	0.00	2.06	0.00	0.85
WIN 2014	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SPR 2014	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SUM 2015	3.14	0.00	1.57	0.00	2.06	0.00	0.85
WIN 2015	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SPR 2015	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SUM 2016	3.14	0.00	1.57	0.00	2.06	0.00	0.85
WIN 2016	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SPR 2016	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SUM 2017	3.14	0.00	1.57	0.00	2.06	0.00	0.85
WIN 2017	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SPR 2017	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SUM 2018	3.14	0.00	1.57	0.00	2.06	0.00	0.85
WIN 2018	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SPR 2018	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SUM 2019	3.14	0.00	1.57	0.00	2.06	0.00	0.85
WIN 2019	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SPR 2019	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SUM 2020	3.14	0.00	1.57	0.00	2.06	0.00	0.85
WIN 2020	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SPR 2020	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SUM 2021	3.14	0.00	1.57	0.00	2.06	0.00	0.85
WIN 2021	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SPR 2021	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SUM 2022	3.14	0.00	1.57	0.00	2.06	0.00	0.85
WIN 2022	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SPR 2022	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SUM 2023	3.14	0.00	1.57	0.00	2.06	0.00	0.85
WIN 2023	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SPR 2023	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SUM 2024	3.14	0.00	1.57	0.00	2.06	0.00	0.85
WIN 2024	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SPR 2024	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SUM 2025	3.14	0.00	1.57	0.00	2.06	0.00	0.85
WIN 2025	3.14	0.00	1.57	0.00	2.06	0.00	0.85
SPR 2025	3.14	0.00	1.57	0.00	2.06	0.00	0.85

MICRON LEVEL

OCT 20 2003

SCANNED

MAY 28 2003

RECEIVED

MAY 27 2003

Department of Water Resources
Southern Region

WIN 2095	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2096	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2096	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2097	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2097	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2097	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2098	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2098	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2098	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2099	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2099	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2099	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2100	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2100	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2100	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2101	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2101	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2101	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2102	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2102	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2102	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2103	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2103	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2103	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2104	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2104	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2104	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2105	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2105	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2105	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2106	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2106	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2106	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2107	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2107	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2107	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2108	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2108	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2108	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2109	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2109	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2109	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2110	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2110	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2110	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2111	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2111	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2111	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2112	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2112	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2112	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2113	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2113	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2113	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2114	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2114	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2114	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2115	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2115	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2115	3.14	0.00	1.97	0.00	2.99	0.00	0.85
WIN 2116	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SPR 2116	3.14	0.00	1.97	0.00	2.99	0.00	0.85
SUM 2116	3.14	0.00	1.97	0.00	2.99	0.00	0.85

MICROFILMED

OCT 20 2003

SCANNED

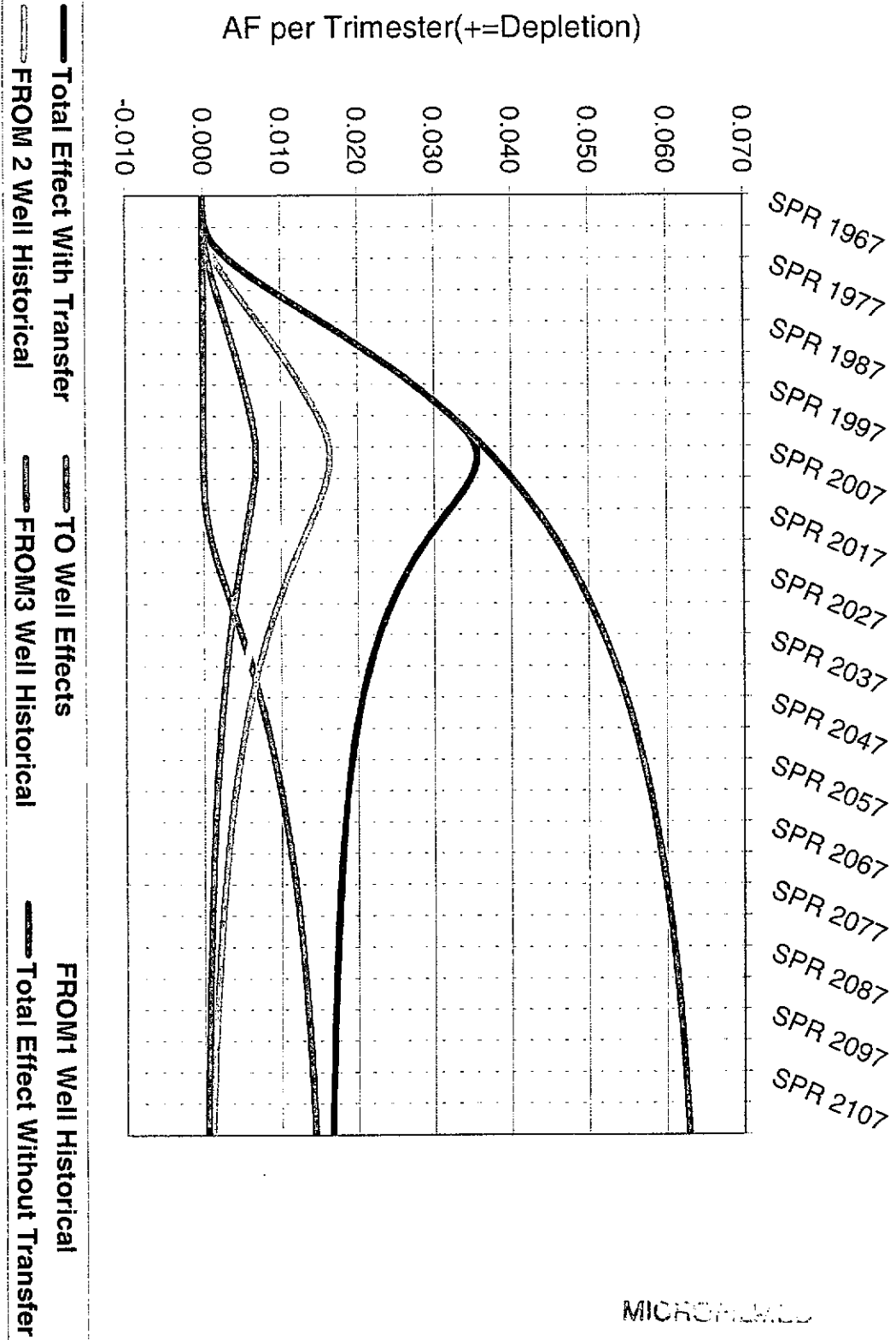
MAY 28 2003

RECEIVED

MAY 27 2003

Department of Water Resources
Southern Region

Hydrologic Response--Heise/Ashton to Lewisville Transfer No: 69348 Applicant: Gooch-Larsen



MICROFILMED

OCT 28 2003

SCANNED

MAY 28 2003

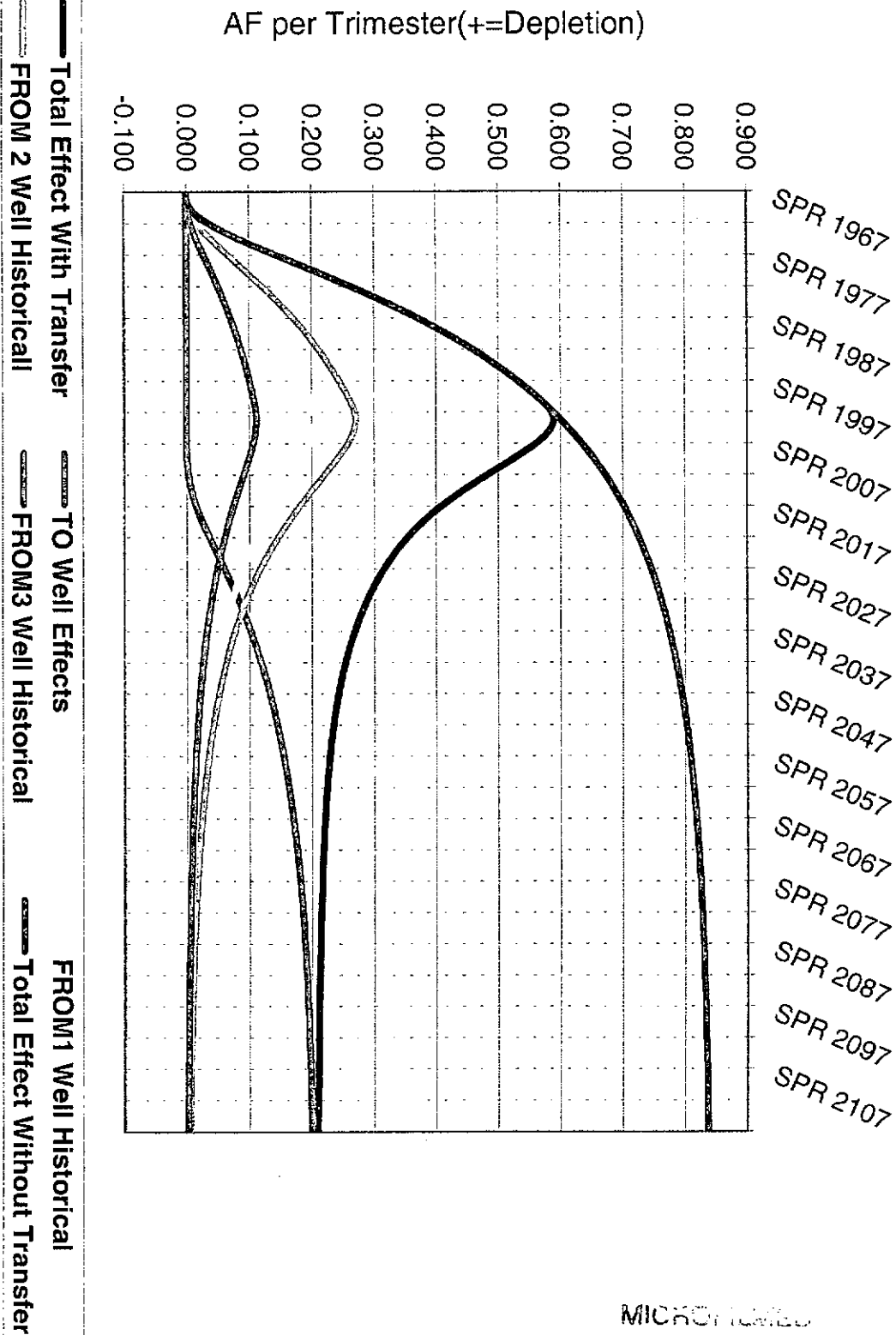
RECEIVED

MAY 27 2003

Department of Water Resources
 Southern Region

Hydrologic Response--Near Shelley to Neeley Reach

Transfer No: 69348 Applicant: Gooch-Larsen



MICROFILMED

OCT 20 2003

SCANNED

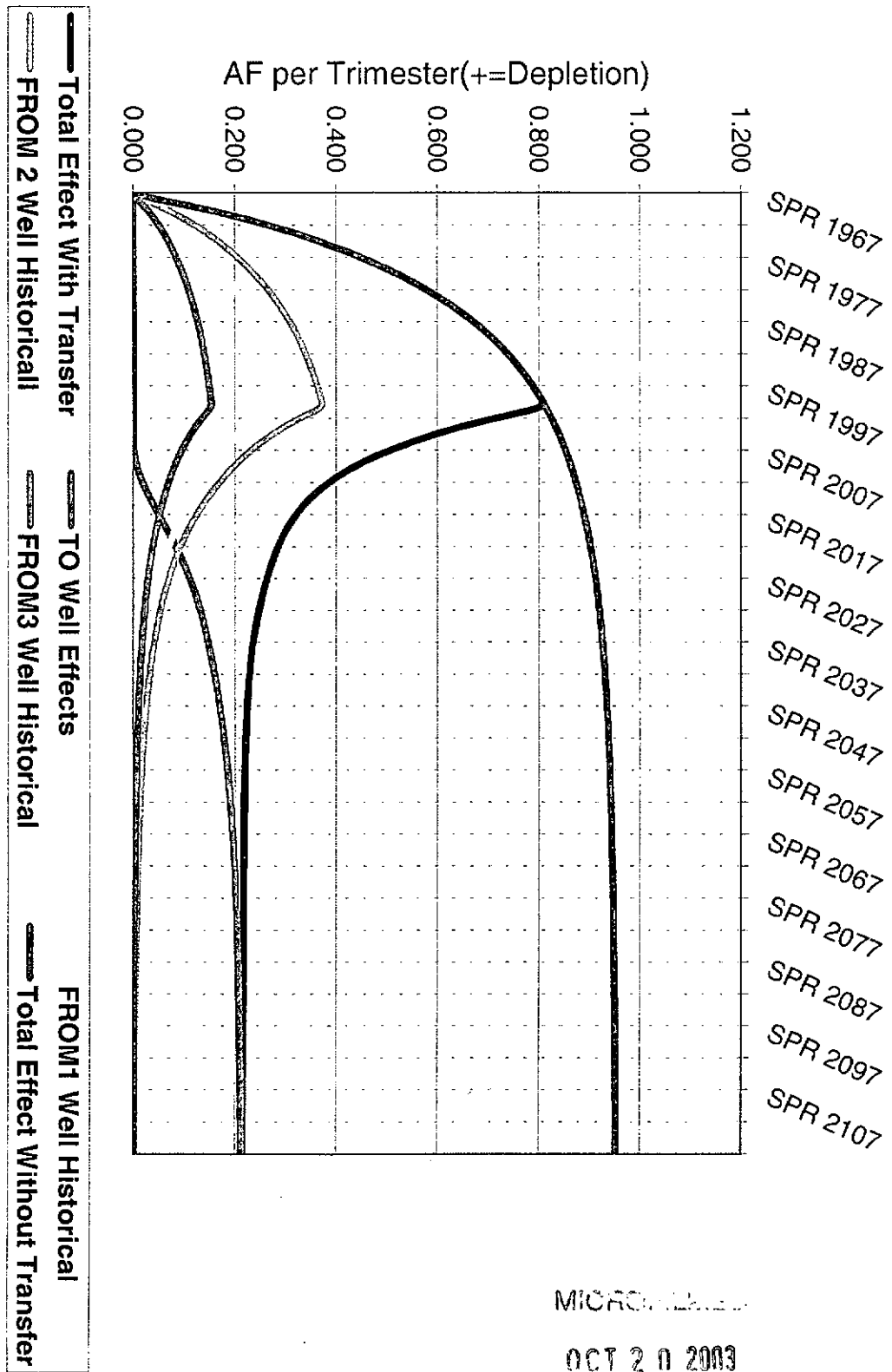
MAY 28 2003

RECEIVED

MAY 27 2003

Department of Water Resources
Southern Region

Hydrologic Response--Neeley to Minidoka
 Transfer No: 69348 Applicant: Gooch-Larsen



MICROSOFT EXCEL

OCT 20 2003

SCANNED

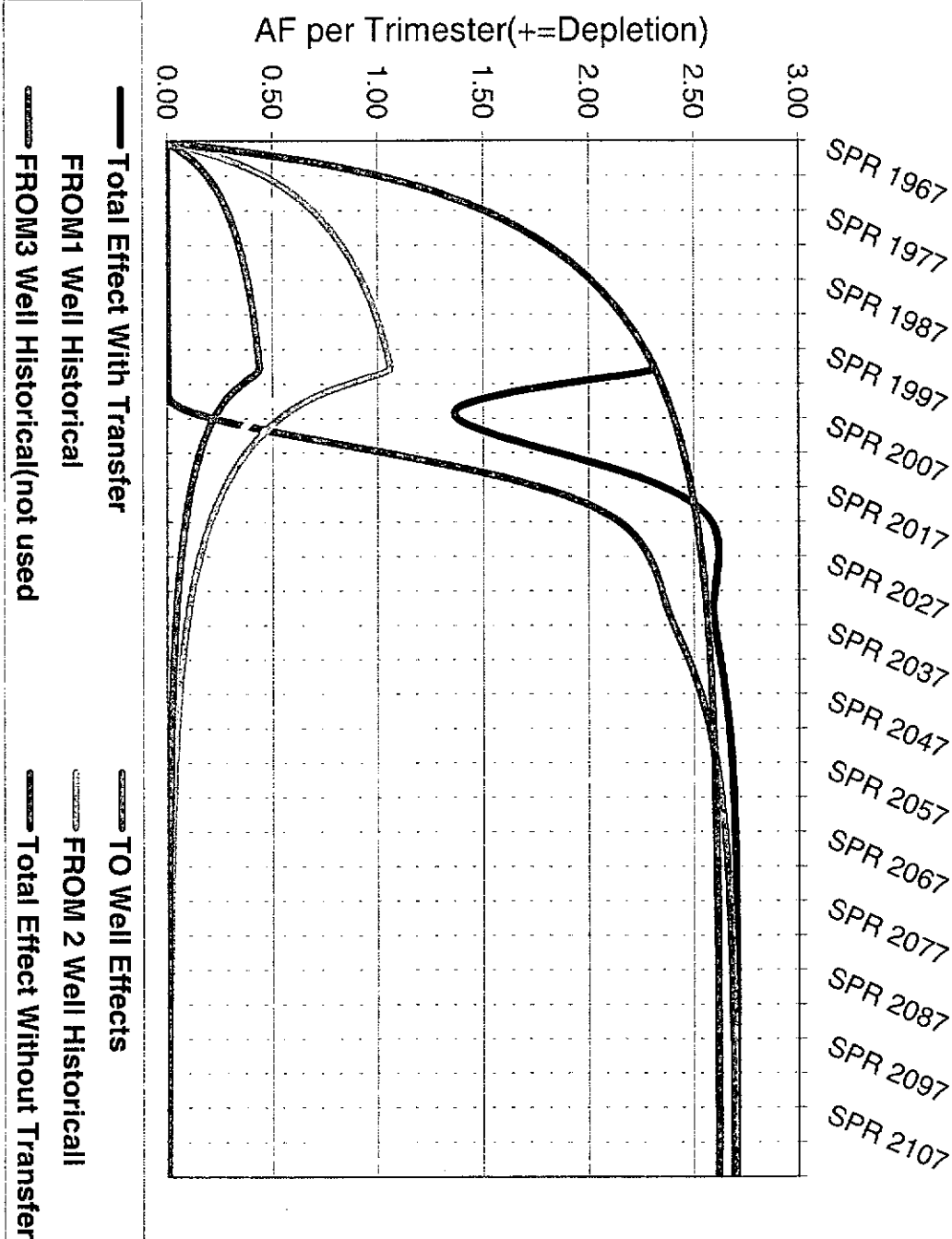
MAY 28 2003

RECEIVED

MAY 27 2003

Department of Water Resources
 Southern Region

Hydrologic Response-- Milner to King Hill Reach Transfer No.: 69348 Applicant: Gooch-Larsen



MICROSOFT

OCT 20 2003

SCANNED

MAY 28 2003

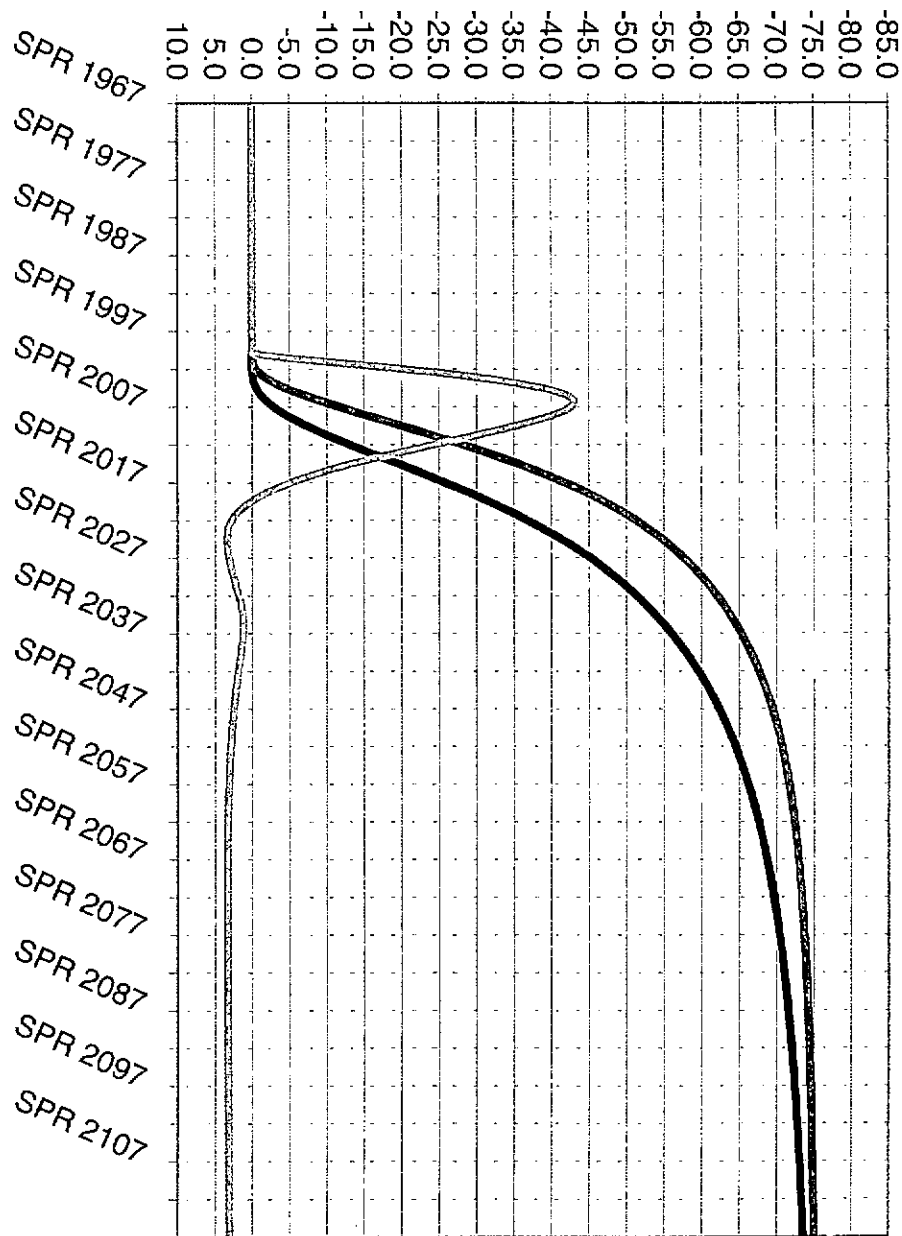
RECEIVED

MAY 27 2003

Department of Water Resources
 Southern Region

Percent Impact of Transfer

Heise/Ashton to Lewisville Near Shelley to Neeley Neeley to Minidoka Milner to King Hill



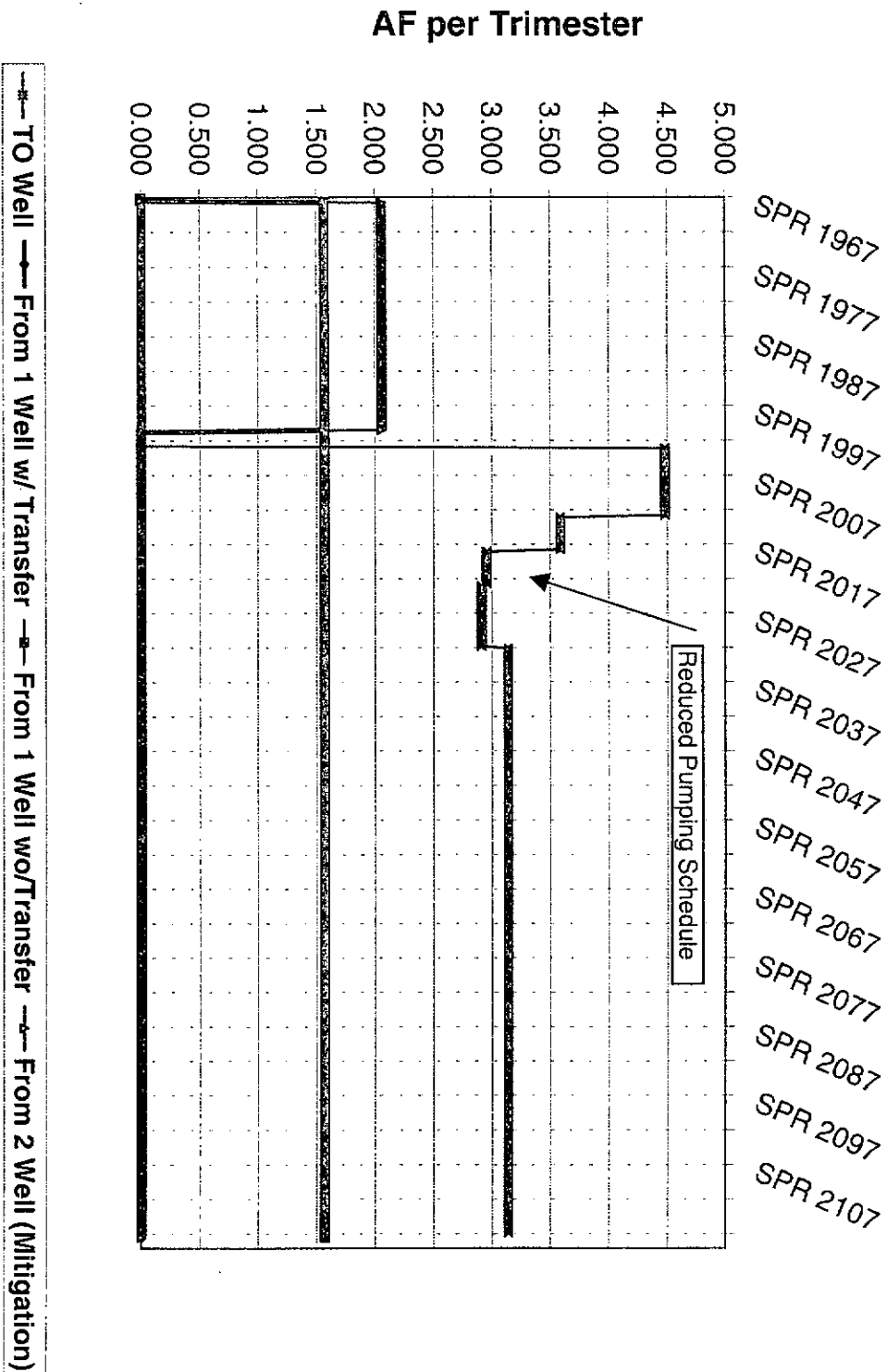
Net Percent Transfer Impact
Transfer No: 69348 Applicant: Gooch-Larsen

MICROVIEW
OCT 20 2003

SCANNED
MAY 28 2003

RECEIVED
MAY 27 2003
Department of Water Resources
Southern Region

Pumping and Mitigation Schedule
Transfer No69348 **Applicant: Gooch-Larsen**



MICRO...

OCT 28 2003

SCANNED

MAY 28 2003

RECEIVED

MAY 27 2003

Department of Water Resources
 Southern Region

GIVENS PURSLEY LLP

LAW OFFICES

277 North 6th Street, Suite 200
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

CHRISTOPHER H. MEYER

DIRECT DIAL: 208 388-1236
CELL: 208 407-2792
EMAIL: chm@givenspursley.com

Gary G. Allen
Christopher J. Beeson
Jessica M. Borup
William C. Cole
Michael C. Creamer
Emily MacMaster Durkee
Thomas E. Dvorak
Roy Lewis Eiguren
Timothy P. Fearnside
Jeffrey C. Fereday
Steven J. Hippler
Karl T. Klein
Debra K. Kristensen
Anne C. Kunkel
Deborah E. Nelson

Franklin G. Lee
David R. Lombardi
D. David Lorello, Jr.
Kimberly D. Maloney
John M. Marshall
Kenneth R. McClure
Kelly Greene McConnell
Cynthia A. Melillo
Christopher H. Meyer
Kendall L. Miller
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Angela K. Nelson
W. Hugh O'Riordan

Michael C. Orr
Kenneth L. Pursley
Bradley V. Sneed
H. Barton Thomas
Conley E. Ward
Robert B. White

Raymond D. Givens
James A. McClure
Stephanie C. Westermeier
OF COUNSEL

John A. Miller, LL.M.
TAX CONSULTANT

*Licensed in Kentucky only

April 29, 2003

John K. Simpson, Esq.
Barker, Rosholt & Simpson
205 North 10th, Suite 520
P.O. Box 2139
Boise, ID 83701-2139

Re: Ellis and Beatrice Jo Gooch Transfer
Our File No. 6131-12

Dear John:

In the interest of expediting the processing of the Ellis and Beatrice Jo Gooch water right transfer I have prepared and signed the enclosed Notice of Withdrawal. I have modeled this Notice on the ones which have been filed previously with regard to similar transfers. Please sign the Notice and arrange to have it filed with the Idaho Department of Water Resources as soon as possible.

Thank you for your assistance with this matter. If you have any questions please call.

Sincerely,



Christopher H. Meyer

Encl: Notice of Withdrawal

cc: Allen Merritt (w/o enclosure)
Pam Skaggs (w/o enclosure)
Norm Young (w/o enclosure)
Del Kohtz (w/o enclosure)
Chuck Brockway (w/o enclosure)

CHM:kdt SACLIENTS\6131\12\CHM Ltr.DOC

RECEIVED

MAY - 1 2003

Department of Water Resources
Boise, Idaho

MICROFILMED
OCT 20 2003

SCANNED

MAY 15 2003

SCANNED

MAY 15 2003

348
T69336



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

October 25, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ELLIS & BEATRICE GOOCH
670 N 850 W
SHOSHONE ID 83352

RE: APPLICATION FOR TRANSFER 69348

Dear Applicants:

Enclosed is a copy of protest(s) filed again the above referenced application. The Department suggests you contact the protestant(s) directly to determine the exact nature of the protest(s) and, if possible, to resolve the matter without action by the Department. In our experience, informal discussion between the parties prior to initiation of formal proceedings often leads to resolution of the protest.

Please note that your application is considered a contested case and subject to the Rules of Procedure adopted by the Department.

If you need a copy of these rules, please contact this office. The Rules of Procedure are also available on the Internet by using the IDWR Homepage at the following electronic address:

<http://www.idwr.state.id.us/apa/ldapa37/0101.htm>

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If the protest cannot be resolved informally, the matter will be scheduled for conference and/or hearing. The following are criteria the Department must consider in either approving or denying the application (Section 42-222, Idaho Code).

1. Will other water rights be injured by the proposed transfer?
2. Will the proposed change constitute an enlargement in the use of the original Right(s)?
3. Will the proposed change conflict with the local public interest?
4. Will the proposed change be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place of the conference and/or hearing. Please contact this office if you have any questions regarding this procedure.

If you wish to proceed with a Pre-hearing Conference &/or formal Hearing, please notify this office or if you have any questions please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

Enclosures

SCANNED

MICROFILM SEP 18 2003

OCT 20 2001



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

October 25, 2001

AMY D. CHESTNUT
BARKER ROSHOLT & SIMPSON LLP
PO BOX 1906
TWIN FALLS ID 83303-1906

RE: Thirteen (13) Applications for Transfer on portions of Water Right No. 36-2676

Nunes Brothers Dairy, T# 69344
Ron Hulme, T# 69270 & T# 69306
C & G Dairy (Griffith/Giltner), T#69357
D & B Tree Farm, T# 69336
Tim Andresen, T# 69200
Riverview Dairy, T# 69373

B & B Calf Ranch, T# 69354
Howard & Rhonda Morris, T# 69339
Ellis & Beatrice Gooch, T# 69348
Theodore Baar, T# 69358
Vanderham Dairy, T# 69267
Jose & Maria Borba, T# 69149

Dear Ms. Chesnut:

This office acknowledges receipt of the protests filed on behalf of your client, Clear Springs Foods, Inc. against the approval of the above referenced applications. A copy has been sent to the applicants with the suggestion that each one contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department. In our experience, informal discussion between the parties prior to initiation of formal proceedings often leads to resolution of the protest.

Please note that each application is considered a contested case and subject to the Rules of Procedure adopted by the Department.

If you need a copy of these rules, please contact this office. The Rules of Procedure are also available on the Internet by using the IDWR Homepage at the following electronic address:

<http://www.idwr.state.id.us/apa/idapa37/0101.htm>

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If the protest cannot be resolved informally, the matter will be scheduled for conference and/or hearing. The following are criteria the Department must consider in either approving or denying the application (Section 42-222, Idaho Code).

MICROFILMED

SCANNED

OCT 20 2003

Protest Ack-Ltr-Clear-Springs-Atty-Chestnut-Kohtz-13

SEP 18 2003

Page 1

1. Will other water rights be injured by the proposed transfer?
2. Will the proposed change constitute an enlargement in the use of the original Right(s)?
3. Will the proposed change conflict with the local public interest?
4. Will the proposed change be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place for the conference and/or hearing. Please contact this office if you have any questions regarding this procedure.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,



Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

Enclosure(s)

cc:
DEL KOHTZ
1135 VALLEY RD SOUTH
EDEN ID 83325

BARKER, ROSHOLT & SIMPSON**L.L.P.****ATTORNEYS AT LAW**

JOHN A. ROSHOLT
ALBERT F. BARKER
JOHN K. SIMPSON
AMY D. CHESTNUT
TRAVIS L. THOMPSON

Boise Office
1221 W. IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034
Email: rosholt@micron.net

Twin Falls Office
142 3rd AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

RECEIVED**OCT 15 2001****FACSIMILE COVER SHEET**

Department of Water Resources
Southern Region Office

DATE:

10/15/01

Recipient's Fax:

RE:

Protests

Client:

Clear Springs Foods

TO:

Allen Merritt

FROM:

Lucretia VincentNUMBER OF PAGES INCLUDING THIS COVER SHEET: 2

- ☒ Original will not be sent.
☐ Original will be sent by first class mail.
☐ Original will be sent by Federal Express.

MESSAGE:

CONFIDENTIALITY NOTICE - THE INFORMATION CONTAINED IN THIS FACSIMILE COMMUNICATION IS ATTORNEY/CLIENT PRIVILEGED AND/OR CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS COVER PAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION OR THE INFORMATION CONTAINED HEREIN IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY CALL (208) 336-0700, AND RETURN THIS FACSIMILE TO US AT THE ABOVE ADDRESS. WE APPRECIATE YOUR COOPERATION.

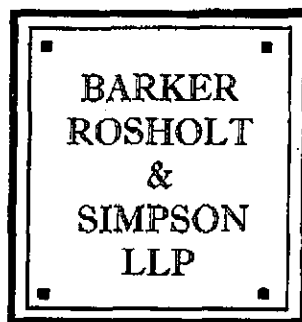
MICROFILMED

OCT 20 2003

no need to scan!

John A. Rosholt
 Albert P. Barker
 John K. Simpson
 Amy D. Chestnut
 Travis L. Thompson

Norman M. Semanko
 Of Counsel



142 3rd Avenue
 Post Office Box 1906
 Twin Falls, ID 83303-1906
 (208) 734-0700 telephone
 (208) 736-0041 facsimile
 cwv@idahowaters.com

1221 West Idaho Street, Suite 600
 Post Office Box 2139
 Boise, ID 83701-2139
 (208) 336-0700 telephone
 (208) 344-6034 facsimile
 brs@idahowaters.com

Crystal Winney Vincent
 cwv@idahowaters.com

October 15, 2001

BY FACSIMILI

Allen Merritt, Manager
 Department of Water Resources
 Southern Regional Office
 1341 Fillmore Street Suite 200
 Twin Falls, ID 83301

OCT 15 2001

RECEIVED

OCT 15 2001 2001

RE: Protests

Department of Water Resources
 Southern Region Office

Dear Allen:

This letter is to notify you that the Boise office of Barker, Rosholt & Simpson, will file Protests in the Western Regional Office today, against the following pending transfers:

- | | |
|--|---|
| × ✓ Nunes Brothers Dairy ...#69344 | ✓ Morris, Howard and Rhonda... #69339 × |
| × ✓ Hulme, Ron... #69270 | ✓ Hulme, Ron:...#69306 × |
| × ✓ G&G Dairy (Griffith/Giltner):...#69357 | ✓ Gooch, Ellis and Beatrice:...#69348 × |
| × ✓ D&B Tree Farm, et al:...#69336 | ✓ Baar, Theodore:...#69358 × |
| × ✓ Andresen, Tim:...#69200 | ✓ Vanderham Dairy:...#69267 × |
| × ✓ Riverview Dairy:...#69373 | ✓ Borba, Jose and Maria:...#69149 × |
| × ✓ B&B Calf Ranch:...#69354 | |

Yours truly,

Crystal W. Vincent
 CRYSTAL WINNEY VINCENT
 Paralegal

cc: Amy Chestnut
 CV.01/Ltr.Memo/CSF Protests

MICROFILMED

OCT 20 2003

SCANNED

MAY 15 2003

John A. Rosholt
John K. Simpson
Amy D. Chestnut
BARKER ROSHOLT & SIMPSON LLP
1221 W. Idaho, Suite 600
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Fax: (208) 344-6034
ISB #1037, 4242, 5904

RECEIVED

OCT 15 2001

WATER RESOURCES
WESTERN REGION

W028416

RECEIVED

OCT 17 2001

Department of Water Resources
Southern Region

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF)
APPLICATION FOR TRANSFER)
NUMBER 69348 in the Name of)
ELLIS GOOCH, BEATRICE GOOCH)
Water Right Nos. 36-2676, 37-10224,)
36-7044, 36-7158)
_____)

NOTICE OF PROTEST

CLEAR SPRINGS FOODS, INC. ("Clear Springs Foods"), by and through its attorneys, Barker Rosholt & Simpson, LLP file its *Notice of Protest* to the approval of the above-numbered Application for Transfer filed by Ellis Gooch and Beatrice Gooch. The basis for Clear Springs Foods' protest is as follows:

1. The proposed transfer will result in injury to Clear Springs Foods and other water right holders due to a further depletion in the already declining spring flow levels. The ground water to be withdrawn is hydraulically connected to the springs

MICROFILMED
OCT 20 2003

SCANNED

MAY 15 2003

supplying Clear Springs Foods' water right. Additional withdrawal of ground water will impact the spring levels and cause the water supply to be further limited. These withdrawals will also impact and further deplete the reach of the Snake River in this area. Allowance of such a transfer is contrary to previous orders issued by the Department of Water Resources;

2. The proposed transfer will additionally cause injury as it will have the same physical effect as a new appropriation since the point of diversion is proposed in a different response zone than the original, licensed well. At the original well, water that is not pumped from such well is tributary to the Snake River. Portions of the unpumped water will move into the aquifer but some will reach the Snake River and be unavailable as ground water within the Snake Plain Aquifer. The result is that the unpumped water will not likely reach the new well due to distance and the aquifer characteristics. The withdrawal of water at the new well is like a new appropriation. A new appropriation will injure other water rights that rely upon the limited supply of the aquifer and those water rights that are hydraulically connected to the aquifer. Approval of such a transfer is contrary to prior decisions by the Department;

3. The proposed transfer is not in the local public interest. The parent water right is being split into numerous, miniscule pieces. It is not in the public interest to permit the multiple splitting of water rights when such rights may then be difficult to administer and may result in over-appropriation of the limited water supply; and,

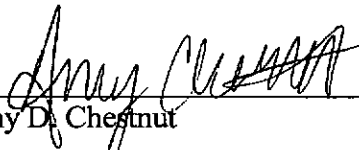
4. For such other and further reasons as may be set forth at the hearing on this matter.

This protest could be resolved by the following:

- (a) Sufficient hydrological analysis that the transfer is not essentially a new appropriation and will not injure Clear Springs Foods;
- (b) Proof and a condition, if the transfer is approved, that the acres to be dried up in order to provide water for the transfer are actually not being irrigated;
- (c) Submission of proof by the Applicant that the parent water right(s) is valid and has not been forfeited or abandoned;
- (d) Submission of evidence by the Applicant that water is not already being used for the same beneficial use and at the same location as proposed in the transfer;
- (e) Clarification, by the Department, of its policy regarding transfers of water rights into different response zones; and,
- (f) Other solutions that may be identified to resolve the issues raised herein and that may be raised at the hearing on this matter.

DATED this 15th day of October, 2001.

BARKER ROSHOLT & SIMPSON, LLP

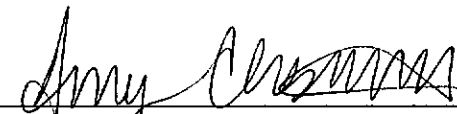
By: 
Amy D. Chestnut

CERTIFICATE OF MAILING

I hereby certify that on this 15th day of October, 2001, I served a copy of the foregoing NOTICE OF PROTEST, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

Ellis Gooch
Beatrice Gooch
670 N 650 W
Shoshone, Idaho 83352

Idaho Department of Water Resources
Southern Regional Office
1341 Fillmore St., Ste. 200
Twin Falls, Idaho 83301-3380


Amy D. Chestnut

AFFIDAVIT of PUBLICATION

State of Idaho } ss.
County of Lincoln

RECEIVED
OCT 09 2001

Department of Water Resources
Southern Region

COPY OF NOTICE

(Paste Here)

Gooch # 69348
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that several application(s) for transfer have been filed with the Idaho Department of Water Resources for changes to water rights from ground water currently associated with irrigation of 372 acres in Minidoka County located 7 miles North and 7 miles West of Paul, Idaho. The water rights to these lands are being sold and proposed to be moved to the following sites by the transfer listed below:

ELLIS & BEATRICE JO GOOCH, 670 N 650 W; SHOSHONE ID 83352
filed application No. 69348 on 6/29/01 for the purpose of providing water to a heifer operation located 7 miles North and 7 miles West of Shoshone. The transfer combines an existing right at the site with 5 acres worth of purchased water for a combined total of 0.12 cfs to be diverted from one existing well and one new well.

For specific details regarding the application, please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications." Protests may be submitted based on the criteria of Sec. 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St., Suite 200, Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before October 15, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

PUB: 9/27 - 10/4

L38392

SCANNED

MAY 15 2003

Norma DeVoe, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, 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 27th day of September, 2001, and the date of the last publication was on the 4th day of October, 2001.

On this 4th day of October in the year of 2001, before me, a Notary Public, personally appeared

Norma DeVoe, 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 acknowledged to me that he/she executed the same.

SHELLEY STURGEON
Notary Public
State of Idaho

Shelley Sturgeon
Notary Public for Idaho

Residing at Jerome

My commission expires: 12/3/05

7084/38392
LINCOLN COUNTY JOURNAL
Shoshone, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

Lines tabular at _____ 8.0¢/Pica

513.56 Lines straight at 35.95 7.0¢/Pica

513.56 Subsequent lines at 30.81 6.0¢/Pica

Affidavit Fee: 2.50

TOTAL COST 69.26

MICHOELEMEL

OCT 20 2003

RECEIVED

OCT 04 2001

Department of Water Resources
Southern Region

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

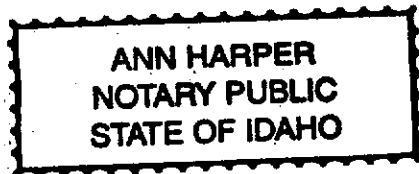
County of Cassia)
) ss
STATE OF IDAHO)

Ruth Anne Holmes, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated September 24, 2001 and ending with the issue dated October 1, 2001.

Ruth Anne Holmes

STATE OF IDAHO)
COUNTY OF)
Cassia)

On this 1st day of October in the year of 2001 before me, a Notary Public, personally appeared Ruth Anne Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Ann Harper
Notary Public for Idaho
Residing at: Burley, Idaho
My commission expires: 9-14-2007

Cost of Publication 224.51
Affidavit Fee 5.00
Total Cost 229.51

OK
MB
10/9/01

MICROFILMED

OCT 20 2003

SCANNED

SEP 18 2003



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

September 21, 2001

ELLIS & BEATRICE JO GOOCH
670 N 650 W
SHOSHONE ID 83352

RE: Application for Transfer No. 69348

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your application(s). Please refer to these numbers in all correspondence regarding the above referenced applications.

Since your application(s) involves changes to the point of diversion located in more than one county, this office has scheduled advertising the application(s) in the South Idaho Press for 9/24 & 10/01/01 and in the Lincoln County Journal on 9/27 & 10/04/01. 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 (October 15, 2001).

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(s) 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.

Sincerely,

Mary A. Baldwin
Administrative Assistant

MICROFILMED SCANNED
OCT 20 2003 SEP 18 2003

mb-mv-norma

September 20, 2001

ATTN NORMA
MAGIC VALLEY PUBLISHING
ATTN: North Side News, Gooding County Leader & Lincoln County Journal
PO BOX 468
JEROME ID 83338

Dear Norma:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper(s).

We have inserted the required publication dates. 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
OCT 20 2003

SCANNED
SEP 18 2003

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that several application(s) for transfer have been filed with the Idaho Department of Water Resources for changes to water rights from ground water currently associated with irrigation of 372 acres in Minidoka County located 7 miles North and 7 miles West of Paul, Idaho. The water rights to these lands are being sold and proposed to be moved to the following sites by the transfers listed below:

JOSE H. & MARIA C. BORBA, 400 N 214 E; JEROME ID 83338 filed application No. 69149 on 2/1/01 for the purpose of expanding an existing dairy located 5 miles North and 2 miles East of Jerome. The transfer combines an existing right at the site with 5 acres worth of purchased water for a combined total of 0.14 cfs to be diverted from one existing well and one new well.

TIM ANDRESEN, 94 N 500 W; JEROME ID 83338 filed application No. 69200 on 3/12/01 for the purpose of expanding an existing dairy located 1 mile North and 5 miles West of Jerome. The transfer combines an existing right at the site with 12 acres worth of purchased water for a combined total of 0.19 cfs to be diverted from one existing well and one new well.

VANDERHAM DAIRY, 85 S 300 N; JEROME ID 83338 filed application No. 69267 on 3/15/01 for the purpose of expanding an existing dairy located 1 mile South and 3 miles West of Jerome. The transfer combines an existing right at the site with 18.5 acres worth of purchased water for a combined total of 0.30 cfs to be diverted from two existing wells and one new well.

RON HULME, 2066 E 400 S; HAZELTON ID 83325 filed two applications on 3/19/01. Application No. 69270 proposes to move 25 acres of purchased water to a site located 5 miles North of Hazelton for irrigation of 25 acres using a total of 0.29 cfs to be diverted from a new well. Application No. 69306 (Hulbm Dairy) is for the purpose of expanding an existing dairy located 5 miles North of Hazelton. The transfer combines an existing right at the site with 33.3 acres worth of purchased water for a combined total of 0.38 cfs to be diverted from one existing well and one new well.

DAVID DAWSON (D & B TREE FARM-HAILEY NURSERY), PO BOX 2541; HAILEY ID 83323 filed application No. 69336 on 7/3/01 for the purpose of irrigating a commercial tree farm. The application proposes to move 8 acres of purchased water to a site located 2 miles East of Gooding for commercial purposes using a total of 0.10 cfs to be diverted from a new well.

HOWARD &/OR RHONDA K. MORRIS, 1101 E 2900 S; HAGERMAN ID 83332 filed application No. 69339 on 5/8/01 for the purpose of expanding an existing dairy located 6 miles North and 2 miles West of Wendell. The transfer combines an existing right at the site with 28.3 acres worth of purchased water for a combined total of 0.40 cfs to be diverted from one existing well and one new well.

GEORGE NUNES (NUNES BROS.), 2933 S 1500 E; WENDELL ID 83355 filed application No. 69344 on 6/29/01 for the purpose of providing water to a heifer operation 4 miles West of Wendell. The transfer modifies 2.4 acres worth of purchased water for a total of 0.03 cfs to be diverted from one new well.

ELLIS & BEATRICE JO GOOCH, 670 N 650 W; SHOSHONE ID 83352 filed application No. 69348 on 6/29/01 for the purpose of providing water to a heifer operation located 7 miles North and 7 miles West of Shoshone. The transfer combines an existing right at the site with 5 acres worth of purchased water for a combined total of 0.12 cfs to be diverted from one existing well and one new well.

B & B CALF RANCH, 352 N 100 E; JEROME ID 83338 filed application No. 69354 on 7/3/01 for the purpose of providing water to a household with calf raising operation located 4 miles North and 1 miles East of Jerome. The transfer combines an existing right at the site with 16 acres worth of purchased water for a combined total of 0.19 cfs to be diverted from one existing well and one new well.

Legal-kohtz-13-tr-ADM amended-1cj
NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that several application(s) for transfer have been filed with the Idaho Department of Water Resources for changes to water rights from ground water currently associated with irrigation of 372 acres in Minidoka County located 7 miles North and 7 miles West of Paul, Idaho. The water rights to these lands are being sold and proposed to be moved to the following sites by the transfer listed below:

ELLIS & BEATRICE JO GOOCH, 670 N 650 W; SHOSHONE ID 83352 filed application No. 69348 on 6/29/01 for the purpose of providing water to a heifer operation located 7 miles North and 7 miles West of Shoshone. The transfer combines an existing right at the site with 5 acres worth of purchased water for a combined total of 0.12 cfs to be diverted from one existing well and one new well.

For specific details regarding the application, please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications." Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before October 15, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Lincoln County Journal on 9/27 & 10/4/01
??

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301

Phone: 736-3033

Fax: 736-3037

September 20, 2001

ATTN KAY MOORE
SOUTH IDAHO PRESS
230 E MAIN ST
BURLEY ID 83318

Dear Ms. Moore:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues).

If you cannot publish the notice on the proposed dates, please contact us immediately at 736-3033.

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

Sincerely

Mary A. Baldwin
Administrative Assistant

MICHC.
OCT 20 2003

SCANNED
SEP 18 2003

MIKE GRIFFITH & BILL GILTNER (C & G DAIRY), 248 E 200 N; JEROME ID 83338 filed application No. 69357 on 8/10/01 for the purpose of expanding an existing dairy located 2 miles North and 2 miles East of Jerome. The transfer combines an existing right at the site with 45 acres worth of purchased water for a combined total of 0.66 cfs to be diverted from two existing wells and one new well.

THEODORE BAAR, 350 S 300 W; JEROME ID 83338 filed application No. 69358 on 8/16/01 for the purpose of providing water to a dairy located 3 miles South and 3 miles West of Jerome. The transfer converts 13.3 acres worth of purchased water for a combined total of 0.16 cfs to be diverted from two existing wells.

RIVERVIEW DAIRY, 179 S 500 E; JEROME ID 83338 filed application No. 69373 on 5/8/01 for the purpose of expanding an existing dairy located 2 miles South and 5 miles East of Jerome. The transfer combines existing rights at the site with 7.5 acres worth of purchased water for a combined total of 0.34 cfs to be diverted from two existing wells and one new well.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications." Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before October 15, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 9/24 & 10/01/01

686-2899

Dairy Herd Water Use Data

Ellis Gooch Heifer Operation

07/09/01

Milking Herd..... 0 Cows
 Replacements..... 3500 Heifers

Drinking Water Requirements

Milking Herd	% of herd		High Consumption per Day	Low Consumption per Day	Average Consumption per Day	
Lactating Cows	85%	0	45.7 gal	22 gal	33.85 gal	
Dry Cows	15%	0	16.2 gal	9.7 gal	12.95 gal	
Consumption / 1 cow/day (gal)			- gal	- gal	- gal	
Consumption/1 cow/year (gal)			- gal	- gal	- gal	
Consumption/1 cow/year (Cu.Ft.)			- Cu.Ft.	- Cu.Ft.	- Cu.Ft.	0.0 Cu.Ft.

Replacements	% of Replacements		High Consumption per Day	Low Consumption per Day	Average Consumption per Day	
16-24 months	25%	875	14.5 gal	8.70 gal	11.6 gal	
13-15 months	25%	875	10.6 gal	6.30 gal	8.45 gal	
9-12 months	25%	875	6.1 gal	3.70 gal	4.9 gal	
5-8 months	25%	875	3.3 gal	2.00 gal	2.65 gal	
3-4 months	0%	0	3.3 gal	2.00 gal	2.65 gal	
0-2 months	0%	0	1 gal	0.75 gal	0.875 gal	
	100%	3500				
Consumption / 1 heifer/day (gal)			8.63 gal	5.18 gal	6.90 gal	
Consumption/1 heifer/year (gal)			3,148.13 gal	1,889 gal	2,518.50 gal	
Consumption/1 heifer/year (Cu.Ft.)			420.87 Cu.Ft.	252.5 Cu.Ft.	336.70 Cu.Ft.	251.85 Cu.Ft.

Annual Milking Herd Drinking Water
 (Includes Dry Cows)

High Intake.....	0 Gallons	0 Cu.Ft.
Average Intake.....	0 Gallons	0 Cu.Ft.
Low Intake.....	0 Gallons	0 Cu.Ft.

Annual Replacement Drinking Water

High Intake.....	11,018,438 Gallons	1,488,978 Cu.Ft.
Average Intake.....	8,814,750 Gallons	1,191,182 Cu.Ft.
Low Intake.....	6,611,063 Gallons	893,387 Cu.Ft.

Barn Water Use from Waste System

Daily.....	1,000 Gallons	135 Cu.Ft.
Annual.....	365,000 Gallons	49,324 Cu.Ft.

All Water Used

High Usage.....	11,383,438 Gallons	1,538,302 Cu.Ft.
Average Usage.....	9,179,750 Gallons	1,240,507 Cu.Ft.
Low Usage.....	6,976,063 Gallons	942,711 Cu.Ft.

Acre Feet/ cfs at Varing Use Levels

High Usage.....	35.3 Acre Ft.	0.05 cfs
Average Usage.....	28.5 Acre Ft.	0.04 cfs
Low Usage.....	21.6 Acre Ft.	0.03 cfs

Cubic Feet Per Second for 24hrs per day for 365 days to deliver the quantity of water specified in Acre Feet

Prepared by ROBERT OHLENSEHLEN 7/9/2001

MICROFILMED

SCANNED

OCT 20 2003

MAY 15 2003

T #69348



Farm Credit Services

1363 Fillmore Street
P.O. Box 5059
Twin Falls, Idaho 83303-5059
208/733-2577

TO: Idaho Department of Water Resources

FROM: Northwest Farm Credit Services, FLCA

SUBJECT: John C. Larsen and Vivian K. Larsen
License #36-07158, #36-07044, #36-02676

Northwest Farm Credit Services, FLCA holds a valid first mortgage on the irrigated lands under Idaho Department of Water Resources license # 36-07158, # 36-07044 and # 36-02676 for irrigation of 374 acres in Sections 19 and 30, Township 8 South, Range 22 EBM owned by John C. Larsen and Vivian K. Larsen. FCS has agreed to allow sale and transfer of the above water rights to other lands subject to all sale proceeds being applied to the loan until FCS is paid in full.

Dated January 24, 2001

Northwest Farm Credit Service, FLCA

Wayne Dennis
Authorized Agent

STATE OF IDAHO)
)ss.
County of Twin Falls)

On this 24th day of January, 2001, before me personally appeared Wayne Dennis, known to me to be an authorized agent of the Northwest Farm Credit Services, FLCA, that executed the within instrument, and acknowledged to me that such corporation executed the same as its free act and deed; and on oath stated that he was authorized to execute said instrument.

Fern Danielson

Notary Public for the State of Idaho
Residing at Twin Falls
My commission expires 8-9-2002



MICROFILMED

OCT 20 2003

SCANNED

MAY 15 2003