

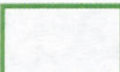
Idaho Dept. of Water Resources

Claim No(s): 65-10771

T07N, R02E, 11

Created by: Sue Bock

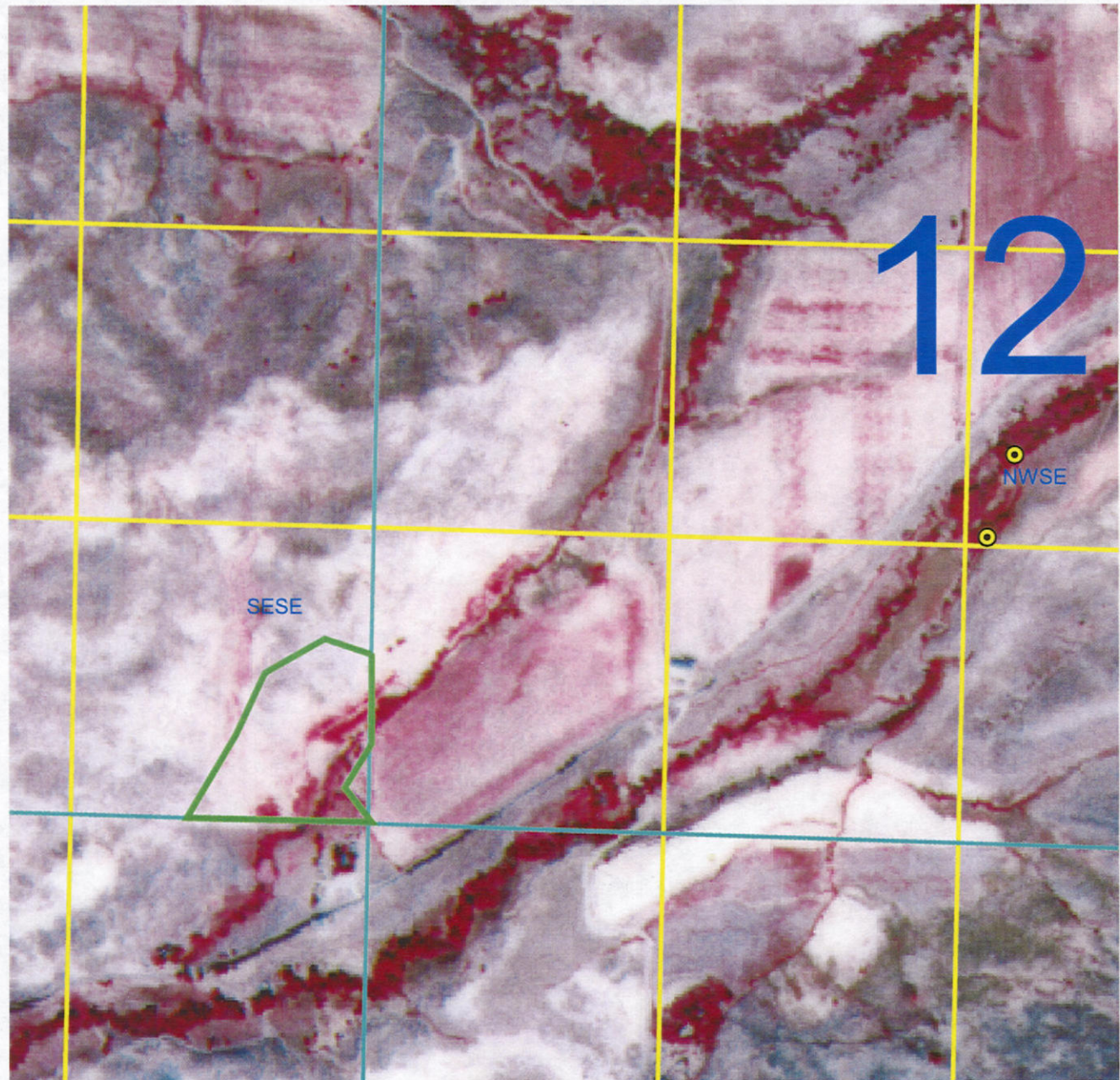
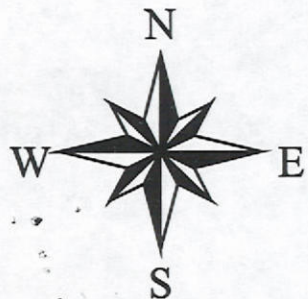
Date: 7/25/2000

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 1000 2000 3000 Feet



1987 NAPP Photo

Form 6
PERMIT No.

Proof of Completion of Works

DEPOSITION OF HOLDER

Under Terms of H. B. 53, Laws 1917.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. *R. C. Woods* 46 yrs, Farming & stock raising, *Stanhoe Bend, Idaho.*

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. *[Signature]*

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. *#632, approved May 31" 1904*

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you have reclaimed or intend to reclaim.

Ans. *Irrigation 40 acres*

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. *Water turned in 1904, as much as 100 inches.*

Ques. 6. State whether or not the works of diversion are fully completed, if so on what date, and whether or not they comply in all respects with the terms of the permit.

Ans. *all complete - Spring of 1904*

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. *[Signature]*

Ques. 8. Give description of works and state dimensions and capacity of each part as they existed on *May 31"* 1904 and give cost of same.

Ans. *Dirt Dam re-inforced by Rock - ditch in good shape capable of carrying 100 inches of water. Ditch at present in good shape.*

(Sign here.) *Rosear S. Woods*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in *Home Shale Bend* County of

Borise State of Idaho, on this *25th* day of

Jan. A. D. 1922 *Chas F. Austin*

My Commission expires *6/6/23* Notary Public.

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No. 632

Proof of Completion of Works

DEPOSITION OF WITNESS

Under Terms of H. B. 53, Laws 1917.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. M. A. Eastman Farmer - Horse Shoe Bend, Ida.
age 57

Ques. 2. Are you acquainted with Roscoe C. Woods the
holder of Permit No. 632 authorizing the diversion of 1 second-feet of the waters of
Porter Creek, Boise Co. Ida. at
for Irrigation purposes? How long have you known him, and where does he reside?

Ans. 20 yrs. Reside Sec. 11 T7N, R2E, B4W.

Ques. 3. Have you read or heard read said Permit No. 632 and are you familiar with its terms and conditions?

Ans. yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. yes. Granite Loam Detrition
and wash from the mountains,
1 inch to the acre

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. yes, completed
1903

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5. and give your estimate of their capacity on that date.

Ans. Dirt Dam Reinforced by rock-
ditch leading from same capable of
carrying 100 inches of water

(Sign here). M. A. Eastman

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Horse Shoe Bend, County

of Boise, State of Idaho, on this 25 day of

Jan.

A. D. 1922

Chas. F. Austin

Notary Public.

My commission expires 6/6/23

The Deposition of Witnesses, in this form, taken separately, required in each case.

PERMIT No. 632

Proof of Completion of Works

DEPOSITION OF WITNESS

Under Terms of H. B. 53, Laws 1917.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. John T. Hanson, age 54 - Farmer
Horse Shoe Bend, Ida.

Ques. 2. Are you acquainted with Roscoe E. Woods the

holder of Permit No. 632 authorizing the diversion of 1 second-foot of the waters of
Porter Creek, Boise Co., in Sec 12 T7N, R2E
for irrigation purposes? How long have you known him, and where does he reside?

Ans. Known him 25 yrs. Sec 11, T7N, R2E, B.M.

Ques. 3. Have you read or heard read said Permit No. 632 and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Gravels Loam Sloping hillside

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. Yes, completed 1903

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5. and give your estimate of their capacity on that date.

Ans. Dirt & Rock Dam. Ditch leading
from same capable of carrying
100 inches of water

(Sign here). John T. Hanson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Horse Shoe Bend County

of Boise State of Idaho, on this 25 day of

Jan

A. D. 1903

My commission expires 6/1/03

Chas. F. Austin

Notary Public.

632

2

T 7 N R 2 E B. M.

SEC.

SEC.

SEC.
11

SEC.
12

SEC.

SEC.

SEC. 14 Application No. 204.
PERMIT NO. 13

ROSCOE C. WOODS.

1 sec. ft. of Porter Creek.
Boiler Co.

Approved May 21, 1904.

Wayland
State Engineer

SEC.

SEC.

SEC.

SEC.







DATA ENTRY BY RAW 7-28-89

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-10771
Date Received: 3/30/1989
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARLIE L. WOODS
Address: HORSESHOE BEND, ID 83629
2. Date of Priority: JUN 01, 1905
3. Source: PORTER CREEK Trib. to: PAYETTE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	02E	12	NW	SE			BOISE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.320		
STOCKWATER	01/01	12/31	0.020		0.70

7. Total Quantity Appropriated is:
0.320 C.F.S. (and/or) 0.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	02E	11	SE	SE		IRR	8.0
Section Acres							8.0

A65-10771

Page 1

Date: 07/28/89

MICROFILMED
SEP 24 1992

10. Place of Use: Continued

Total Acres 8.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

POINT OF DIVERSION HAS TWO POINTS IN NWSE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

OF TWIN FALLS

OF-TWIN

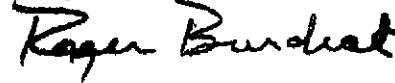
Water Right 6S-10771

2003 MAR 21 PM 3 05

PAGE 1
Mar-21-2003

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
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

AUG 15 2002

Department of Water Resources

AUG 15 2002

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *[Signature]*

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

)
) Subcase Nos. 65-10771 & 65-22279
)
)

) ORDER DISMISSING OBJECTIONS
) WITH PREJUDICE
) I.R.C.P. 41(a)(2)
)
)
)
)

On January 18, 2002, George Dovel filed objections to the above-captioned water rights asserting forfeiture of each right. On August 1, 2002, the time set for status conference on the matter, Mr. Dovel requested to withdraw his objection on the record in each of the respective subcases. Also, on that same date, Mr. Dovel filed a letter with the Court in each of the respective subcases expressing his intent to withdraw his objections. This Special Master treated the request as a motion to withdraw objection in each subcase and granted the same on the record.

THEREFORE, for the above-stated reasons and pursuant to I.R.C.P. 41(a)(2), IT IS ORDERED that the objections filed by George Dovel in the above-captioned subcases are **dismissed with prejudice**.

DATED. August 15, 2002

[Signature]
Thomas R. Cushman
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DISMISSING OBJECTIONS WITH PREJUDICE I.R.C.P. 41(A)(2) was mailed on August 16, 2002, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:
DAVID W GEHLERT
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

PAULINE M WOODS TRUST
ARLENE BLEDSOE, TRUSTEE
CLIFF BLEDSOE, TRUSTEE
3 COYOTE POINT
HORSESHOE BEND, ID 83629

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

PATRICIA L ADAMS MILLER
11 JERUSALEM RD
HORSESHOE BEND, ID 83629-8055



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 13, 2002

PAULINE M WOODS TRUST
ARLENE BLEDSOE, TRUSTEE
CLIFF BLEDSOE, TRUSTEE
3 COYOTE POINT
HORSESHOE BEND ID 83629

RE: Water Right No. 65-10770, 65-10771 & 65-19631

Dear Property Owner(s):

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

Enclosures

cc: Arlie Woods, George Dovel

08/13/2002

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

RIGHT NUMBER: 65-10771

NAME AND ADDRESS: PAULINE M WOODS TRUST
ARLENE BLEDSOE TRUSTEE
CLIFF BLEDSOE TRUSTEE
3 COYOTE POINT
HORESHOE BEND ID 83629

SOURCE: PORTER CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.32 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/01/1905

POINT OF DIVERSION:

T07N R02E S12 NWSE Within BOISE County

T07N R02E S12 NWSE Within BOISE County

2 POINTS OF DIVERSION LOCATED IN T07N, R02E, S11, NWSE

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
		0.70 AFY
IRRIGATION	04/01 11/01	0.320 CFS

PLACE OF USE: STOCKWATER Within BOISE County

T07N R02E S11 SESE

IRRIGATION Within BOISE County

T07N R02E S11 SESE 8.0

8 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Stockwater use is for 30 range cattle.

EXPLANATORY MATERIAL: Decreed

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	)	SUBCASE NO. 65-10770, 65-10771
	)	and 65-19631
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

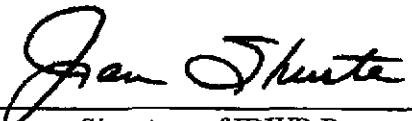
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: August 13, 2002



Signature of IDWR Representative

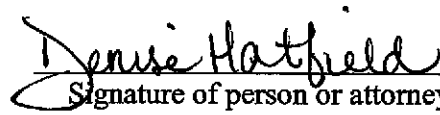
CERTIFICATE OF MAILING

I certify that on August 13, 2002, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Arlie Woods
Horseshoe Bend ID 83629
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Pauline M Woods Trust
Arlene Bledsoe, Trustee
Cliff Bledsoe, Trustee
3 Coyote Point
Horseshoe Bend ID 83629
4. One Copy to:
Each party in the subcase or attorney of record:
George Dovel
434 Pioneer Rd
Horseshoe Bend ID 83629
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

RECEIVED
AUG 07 2002
WATER RESOURCES
WESTERN REGION

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

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
65-10770					
65-19631					
65-10771					
~~65-10770~~ p.d. issued					
65-10772 p.d. issued					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Arlie Woods

4. New Owner/Claimant(s)

Pauline M. Woods Trust

Name Connector (Check one) ☐ and, ☐ or, ☐ and/or

New Mailing Address

Trustee Arlene Bledsoe or Cliff Bledsoe

City, State and ZIP Code

3 Coyote Point Horseshoe Bend 83629

New Telephone Number

() 793-2520

5. Date you acquired the property

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

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

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

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Clifford L. Blalock

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

For Office Use Only

Received by _____

Date _____

Fee _____

Received by SPDate 8/7/02Receipt No. W629556

Processed by _____

Date _____

WR _____

Date _____

**DECLARATION OF TRUST
PAULINE M. WOODS TRUST**

This Declaration of Trust is made by Pauline M. Woods
the 13th day of January 1998.

I.

The Trust and Trustee

1.01 The undersigned does hereby create and establish
a revocable inter vivos trust to be administered and interpreted
under the laws of the State of Idaho.

The trust is identified as the "Pauline M. Woods
Trust".

1.02 Arlene Bledsoe, daughter of Trustor, is appointed
Trustee of this trust to act without bond.

II

The Trust Estate

2.01 Trustor, Pauline M. Woods, hereby assigns,
transfers and conveys unto the Trustee of this trust, as trust
property and as part of the trust estate, the real and personal
property and property interests described in Exhibit A, attached
hereto and made a part hereof. Trustor will execute the
necessary writings to vest in the Trustee as trust property the
title to the Exhibit A real and personal properties.

Such property, additions and increments thereto shall be a part of the trust estate to be held, administered and distributed as provided herein.

Trustor, or other parties or sources may add to and deposit in the trust as trust property funds, property or other assets by gift, bequest or otherwise, all of which shall be a part of the trust estate and administered as such.

2.02 All undistributed income and other increments shall also be a part of the trust estate.

III

Amendments and Revocation

3.01 During her lifetime the Trustor may amend, alter or revoke this trust and this Trust Declaration, from time to time, in whole or in part, by writing delivered to the Trustee.

In event of revocation the funds, property or other assets held in trust made the subject of such revocation shall be reconveyed and delivered to the Trustor within thirty (30) days following the delivery of such writing to the Trustee.

IV

Powers, Duties and Authority of Trustee

4.01 In carrying out the management and administration of this trust the Trustee shall act prudently but with like

powers and authority granted a Trustee in the Idaho Uniform Trustees Powers Act, Sections 68-104 through 68-113 of the Idaho Code as now written and as may be amended or supplemented hereafter.

The Trustee may be given additional authority herein.

4.02 Receipts and disbursements of the trust may be allocated as to principal and income as provided in the Idaho Uniform Principal and Income Act, Sections 68-1001 through 68-1016 Idaho Code, as now written or amended or as the Trustee may otherwise lawfully allocate.

4.03 Trustor has discussed with Trustee the authority of Trustee to make gifts from trust income, principal or property to herself, other parties, churches, charitable organizations or agencies.

In addition to reasonable compensation payable to the Trustee for services as Trustee, the Trustor specifically grants unto the initially appointed Trustee and to any successor Trustee:

(a) The discretionary power and authority to make an annual gift to herself or himself, beginning the 1998 calendar year, of up to \$10,000.00 in cash or trust real or personal property of such value.

(b) The discretionary power and authority to make an annual gift to any grandchild of Trustor of up to \$10,000.00 in cash or other real or personal trust property of such value.

(c) The discretionary power and authority to make an annual donation of up to \$5,000.00 in cash or other trust property of such value to a church, churches or other charitable organizations of the Trustee's choice.

(d) A gift not made in a calendar year is not cumulated and may not be added to a gift in a subsequent calendar year.

(e) If the Trustee concludes that it is in the best interests of Trustor that any such gift should be increased, Trustee may only do so upon the separate written approval of the Trustor. Such written approval shall be dated and retained in the trust records.

(f) To effect such gifts referred to in (a), (b), (c) and (e) the Trustee may convert to cash other trust assets.

4.04 Whenever requested by Trustor, but not more frequently than quarterly, the Trustee shall furnish Trustor a financial statement showing trust receipts and disbursements during the accounting period and schedule of trust assets at the end of the reporting period.

4.05 Whenever the Trustee determines it to be necessary or appropriate the Trustee may deliver a copy of this Declaration of Trust, or copy of the trust financial statement to a corporation, stock transfer agent, bank or other financial institution or governmental agency.

V

Beneficiaries

5.01 In addition to her duties as Trustee, the initially appointed Trustee--but not a successor trustee--is given the additional authority as general attorney-in-fact for her mother, the Trustor. If the Trustor is unable to make health decisions for herself, as determined by her attending physician, the Trustee may make such health treatment and care decisions without restriction.

5.02 During her lifetime the Trustee shall distribute to Trustor, or pay out for her general care or treatment, all or part of the trust net income annually, monthly or at such time and in such amounts as requested by Trustor. If income is inadequate for such purposes, the Trustee shall invade and use trust principal to insure that Trustor receives good medical, hospital, nursing and general care.

5.03 Following the death of Trustor trust income and necessary trust principal shall be used to pay any indebtedness of Trustor, funeral expenses, taxes, if any, payable because of her death, and costs of administering her estate if that is necessary. The remaining trust funds, property and assets shall then be distributed to the Trustee, Arlene Bledsoe, as beneficiary of this trust. If she is then deceased, such trust funds, property and assets shall be distributed, in equal shares, unto those of her husband, Cliff Bledsoe, and their children who are then living. Upon complete distribution the trust terminates. However the Trustee continues with authority to handle any matter concerning the trust.

VI

Other Trust Provisions

6.01 If Trustee Arlene Bledsoe dies or declines to act as Trustee, or is unable to act as Trustee, her husband, Cliff Bledsoe, is appointed as successor Trustee. If he is deceased or declines to act or is unable to act as Trustee, the surviving children of Arlene and Cliff have the authority to select a successor Trustee who may be one of them.

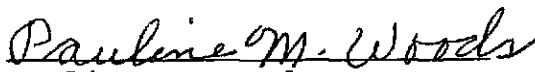
6.02 A successor Trustee has like authority as granted Trustee Arlene Bledsoe excepting the power and authority given her in 5.01 herein.

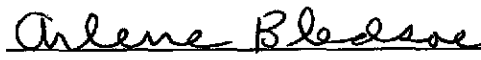
6.03 Neither the initial Trustee nor a successor Trustee shall be required to furnish bond or security in connection with her or his duties as Trustee unless required to do so by Court order.

6.04 No beneficiary of this trust shall alienate, encumber or hypothecate his or her interest in the income or trust principal in any manner prior to distribution of that interest to such beneficiary.

6.05 Arlene Bledsoe, the Trustee named herein whose signature appears hereon accepts appointment as such Trustee and acknowledges receipt of the real and personal property described in the attached Exhibit A.

In witness whereof the undersigned have affixed their signatures hereto the 13th day of January, 1998.


Pauline M. Woods
Trustor


Arlene Bledsoe
Trustee

STATE OF IDAHO)
 : ss.
COUNTY OF ADA)

On this 13th day of January, 1998, before me, the undersigned, a Notary Public in and for said state, personally appeared Pauline M. Woods, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

Kelli Lynn Engum
Notary Public for Idaho
Residing at Caldwell, Idaho
My Commission Expires: 10/14/98

(SEAL)

STATE OF IDAHO)
 : ss.
COUNTY OF ADA)

On this 13th day of January, 1998, before me, the undersigned, a Notary Public in and for said state, personally appeared Arlene Bledsoe, known to me to be the person whose name is subscribed to the within instrument as Trustee of the Pauline M. Woods Trust dated January 13, 1998, and acknowledged to me that she executed the same as such Trustee of the Pauline M. Woods Trust, dated January 13, 1998.

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

Kelli Lynn Engum
Notary Public for Idaho
Residing at Caldwell, Idaho
My Commission Expires: 10/14/98

(SEAL)

Exhibit A
Real Property
Arlie L. Woods Estate

Parcel #1 (Home Place)

Township 7 North, Range 2 East, Boise Meridian
Section 13: NW1/4NE1/4, NE1/4NW1/4

Excepting therefrom:

A tract of land situate in a portion of the Northeast 1/4 of the Northwest 1/4 of Section 13, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho. More particularly described as follows,

BEGINNING at the southwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 13, Township 7 North, Range 2 East, B.M., marked by a found 5/8" Iron Pin L.S. 4347; Thence North 00° 07' 36" East along the west line of the Northeast 1/4 of the Northwest 1/4, a distance of 63.61 feet to a set 1/2" Iron Pin L.S. 4108; Thence North 86° 39' 23" East, a distance of 158.28 feet to a set 1/2" Iron Pin L.S. 4108; Thence North 40° 34' 44" East, a distance of 488.12 feet to a set 1/2" Iron Pin L.S. 4108; Thence South 89° 36' 26" East, parallel with the south line of the Northeast 1/4 of the Northwest 1/4, a distance of 767.15 feet to a set 1/2" Iron Pin L.S. 4108; Thence south 00° 23' 34" West, a distance of 446.83 feet to a point on the south line of the Northeast 1/4 of the Northwest 1/4, marked by a set 1/2" Iron Pin L.S. 4108; Thence North 89° 36' 26" West along the south line of the Northeast 1/4 of the Northwest 1/4, a distance of 1239.77 feet to the point of beginning.

Together with a 50.00 foot wide Ingress, Egress, and Maintenance Easement, the centerline of said easement being more particularly described as follows,

Commencing at the southwest corner of the Northeast 1/4 of the Northwest 1/4, marked by a found 5/8" Iron Pin L.S. 4347; Thence North 00° 07' 36" East along the west line of the Northeast 1/4 of the Northwest 1/4, a distance of 30.23 feet to a point on the centerline of said Ingress and Egress Easement and THE REAL POINT OF BEGINNING; Thence South 88° 29' 52" West, a distance of 96.32 feet; Thence North 75° 44' 45" West, a distance of 213.31 feet to a point on the

centerline of the County Road, and the terminus of said easement.

Said tract of land including all water and ditch rights appurtenant to or used in, connection with the properties being sold or conveyed hereby.

Said tract of land subject to rights of way or easements of record or in use.

Said tract of land containing therein a calculated area of 10.00 acres more or less.

Parcel #2 (North Tract)

Township 7 North, Range 2 East, Boise Meridian

Section 11: S1/2SE1/4

Section 12: Tax 9 in the SW1/4SW1/4; More completely described as follows:

A triangular tract of land located in the Northwest Corner of the Southwest Quarter of the Southwest Quarter, Section 12, Township 7 North, Range 2 East, of the Boise Meridian, Boise, described as follows:

Commencing at the Southwest Corner of said Section 12, Thence North 6.41 chains to the place of beginning; Thence North 13.60 chains; Thence East 13.44 chains; Thence Southwesterly 19.12 chains to the point of beginning.

Exhibit A
Personal Property
Arlie L. Woods Estate

1989 Chevrolet 4-door
1947 Jeep
1952 Minneapolis Moline Z
Tractor
1955 New Holland Hay Baler
Side Delivery Rake
2 Double Axle Hay Wagons
Grain Harney Plough
Electric Hay Elevator
Coast to Coast Riding Lawn
Mower
Sears 5H Rototiller
3 Section Harrow
Tools
6 Cows
1 Bull
5 Yearling Steers and Heifer
10 Ton Hay
Bedroom Sets
Sofa
4 Stuffed Chairs
3 Freezers
Refrigerator
Kitchen Table and Chairs
China Hutch
1 TV

Washington Federal Savings Accounts:

Acct. #0240747030
Acct. #0241010354
Acct. #0241036425
Acct. #0244633954
Acct. #0245059555

John Alden Life Insurance Company:

Contract No. 0004303982D

Bank of America:

CD #20690763
CD #20693709
CD #206690763

Franklin Templeton Group:

A/C #11602000710

First Security Bank

CD #003-155-0946029
CD #003-155-1105547
CD #003-155-1538967
CD #003-155-1538968
CD #003-155-1557921
CD #007-155-2124165
CD #007-155-2124166
Sav.Acct. #003-43953-18
Chec. Acct. #003-20654-19

STATE OF IDAHO)
 : ss.
COUNTY OF ADA)

On this 13th day of January, 1998, before me, the undersigned, a Notary Public in and for said state, personally appeared Pauline M. Woods, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

Kelli Lynn Engum
Notary Public for Idaho
Residing at Caldwell, Idaho
My Commission Expires: 10/14/98

(SEAL)

STATE OF IDAHO)
 : ss.
COUNTY OF ADA)

On this 13th day of January, 1998, before me, the undersigned, a Notary Public in and for said state, personally appeared Arlene Bledsoe, known to me to be the person whose name is subscribed to the within instrument as Trustee of the Pauline M. Woods Trust dated January 13, 1998, and acknowledged to me that she executed the same as such Trustee of the Pauline M. Woods Trust, dated January 13, 1998.

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

Kelli Lynn Engum
Notary Public for Idaho
Residing at Caldwell, Idaho
My Commission Expires: 10/14/98

(SEAL)

SRBA

SUBCASE SUMMARY REPORT 65-10771

[Return to SRBA Home Page](#)

SRBA
08-13-2002

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 65-10771 FILE#: 00792
CLAIMANT: WOODS, ARLIE L

HORSESHOE BEND ID 83629
STATUS: AT ISSUE SPECIAL MASTER: CUSHMAN, THOMAS R
WATER SOURCE: PORTER CREEK, PAYETTE RIVER
ISSUES: PRIORITY DATE
WATER RIGHT RECOMMENDATION

**** PARTIES INVOLVED ****

ARLIE L WOODS C PRO SE
UNITED STATES OF AMERICA O ATTY: DAVID W GEHLERT
GEORGE DOVEL O PRO SE

**** ROA ENTRIES ****

01-17-2002	OBJ 01 F/B UNITED STATES OF AMERICA	RB	03-22-2002	0001
01-18-2002	OBJ 02 F/B DOVEL, GEORGE			0002
02-27-2002	ORIGINAL CLAIM FILED			
05-13-2002	NOTICE SETTING INITIAL HEARING	1V	06-25-2002	1130
05-24-2002	NOTICE RESETTING INITIAL HEARING	1S	06-27-2002	0330
05-29-2002	ORDER VACATING EVENT ON 06252002 AT 1130			
08-01-2002	HEARING HELD ON 8/1/02 BUT NOT SCHEDULED	UH	08-01-2002	0330
08-01-2002	MINUTES FILED			

[Return to SRBA Home Page](#)

RECEIVED

JAN 23 2002

Department of Water Resources

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

A: Subcase 65-10771
(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: George Dovel
Address: 434 Pioneer Rd.
Horseshoe Bend, ID 83629
Daytime Phone: (208) 793-2768

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Archie L. Woods
Address: Horseshoe Bend, ID 83629

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address
Should be: _____
2. ☐ Source
Should be: _____
3. ☐ Quantity
Should be: _____
4. ☒ Priority Date
Should be: _____
5. ☐ Point(s) of Diversion
Should be: _____
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☐ Place of Use
Should be: _____

11. I object because:

☒ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): This water right was
forfeited for failure to make beneficial use for 20+
years. Undisputed testimony and exhibits were considered
by IDWR but it decided not to rule (See Exhibit E)

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 18, ²⁰⁰²~~1999~~, I mailed the original and copies of this objection, including all attachments, to the following persons:

^{hand delivered}
1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Arlie L. Woods
Address: Horseshoe Bend, ID 83629

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

George Davel
Signature of Objector or attorney
mailing on Objector's behalf

F.

VERIFICATION (Must be Completed)

State of Idaho)
County of Baile)ss.

George Dovel, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

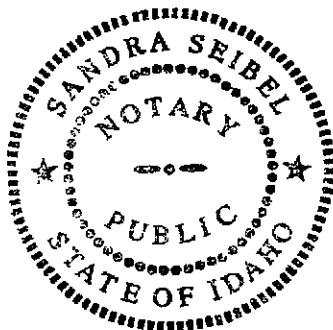
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

George Dovel
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 18, 2002
Sandra Seibel
Notary Public for Idaho
Residing at: Horseshoe Bend
My Commission Expires: 2/10/04



RECEIVED

JAN 24 2002

WATER RESOURCES
WESTERN REGION

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

A. Subcase 65-10771
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234
Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:
David W. Gehlert (303 312-7352)
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N 945
Denver, CO 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Arlie L. Woods
Address:
Horseshoe Bend, ID 83629

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**
Should be:
 2. ☐ **Source**
Should be:
 3. ☐ **Quantity**
Should be:
 4. ☐ **Priority Date**
Should be:
 5. ☐ **Point(s) of Diversion**
Should be:
 6. ☐ **Instream Flow Description**
Should be:
 7. ☐ **Purpose(s) of Use**
Should be:
 8. ☐ **Period of Year**
Should be:
 9. ☐ **Place of Use**
Should be:
 11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

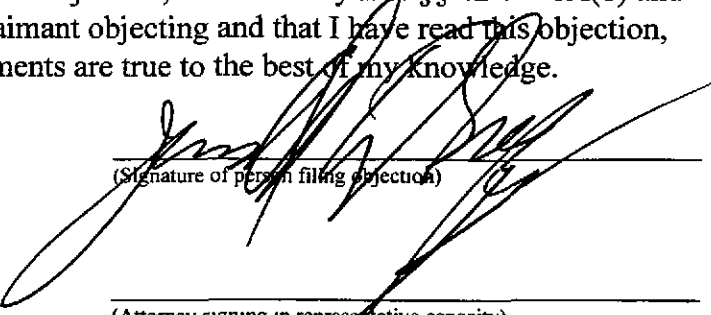
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

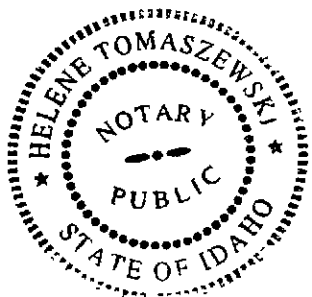
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

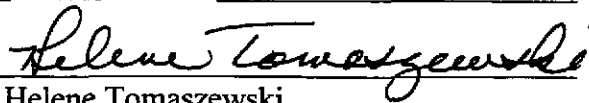

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002





Helene Tomaszewski

Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 01-16-2002

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Arlie L. Woods

Address:
Horseshoe Bend, ID 83629

3. Copies to:

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

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

11/15/2000

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

RIGHT NUMBER: 65-10771

NAME AND ADDRESS: ARLIE L WOODS
HORSESHOE BEND, ID 83629

SOURCE: PORTER CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.32 CFS

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

PRIORITY DATE: 06/01/1905

POINT OF DIVERSION: T07N R02E S12 NWSE Within BOISE County

2 POINTS OF DIVERSION LOCATED IN T07N, R02E, S11, NWSE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.02 CFS
		0.7 AFY
IRRIGATION	04-01 11-01	0.32 CFS

PLACE OF USE:

STOCKWATER Within BOISE County
T07N R02E S11 SESE
IRRIGATION Within BOISE County
T07N R02E S11 8
SESE 8 ACRES TOTAL

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE 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. SECTION 42-1412(6),
IDAHO CODE.

Stockwater use is for 30 range cattle.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

00:43:12
06/10/00
1293

CLAIM NUMBER: A65-10771

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

C18
 NOS
 NEG
 C18

WR5809NP
No. 65-10771

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/10/00
PAGE: 78

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ARLIE L. WOODS HORSESHOE BEND ID 83629	06/01/1905	IRRIGATION STOCKWATER	04/01 11/01 01/01 12/31	0.320 CFS 0.020 CFS	0.70 AFA
TOTAL DIVERSION:					0.320 CFS	0.70 AFA

Water Source: PORTER CREEK Tributary to: PAYETTE RIVER Stage: DECREED

Point(s) of Diversion: T07N R02E S12 NWSE BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	02E	11	:																	:	8.0
TOTAL ACRES																				8.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: BOISE

Remarks: GEN POINT OF DIVERSION HAS TWO POINTS IN NWSE.

Dates:	App. Received:	Priority Date:	06/01/1905
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Idaho Dept. of Water Resources

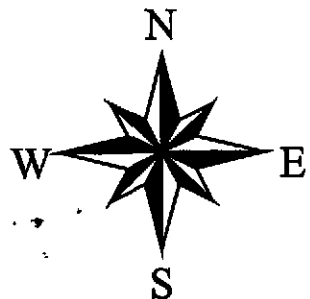
Claim No(s): 65-10771

T07N, R02E, 11

Created by: Sue Bock

Date: 7/25/2000

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



0 1000 2000 3000 Feet



1987 NAPP Photo

DRAINAGE BASIN.

 BOISE		PA
I.D. No.	Map No.	
\$	Receipt No.	
Fee Paid	Western Representative	

(Name of Claimant)

Telephone No.

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) _____

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) _____
tributary to _____

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

3.0 AFA 100-18-18 Use ☒ Period of Use From ☒ To ☒
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity 12 Use Y Period of Use From 1 To 1
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity 8.7 AF Use Domestic Period of Use From 1/1/71 To 12/31/71
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

- (4) — .20 TOTAL QUANTITY CLAIMED.

- (5) A) Point of Diversion: Give location of point where water is diverted from its source _____ 1/4 _____ 1/4 _____
Sec. _____, Twp. _____, Rge. _____, B.M., _____ County _____

Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities; be as specific as possible. Describe any changes in the system and give the date of the change. _____

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]**Total no. of acres**

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization: _____

- (8) Remarks (? P. DIV. NWSE S₆₅ 12.77 NRZE.)

- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____

- ☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

{Date}

(Signature of Claimant)

(Signature of Spouse)

State of

Organization

County of _____

Seal

(Signature of Authorized Agent)

On this 1 day of January, in the year 1968

a notary public, personally appeared

a notary public, personally appeared _____
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation,
partnership or, _____) executed the same.

My commission expires _____

Notary Public residing at

5/18/78

3/10/78

08/08/78 F.E.L.

* MACALLISTER'S MODIFICATION OF MORITZ *
* LOSS CALCULATION FOR *
* THE WOODS PORTER-FAULL DITCH *
* WATER RIGHT NO. 65-10771 *

Q DIVERTED: ~~.36~~ **.36.32**
Q DELIVERED: ~~.18~~ **.18**
PERCENTAGE LOSS: ~~42.4~~ **100**

MAX REASONABLE BY 50% RULE
TYPE OF SOIL: SANDY LOAM
SOIL CONSTANT= 1.50 (FEET/DAY)
LENGTH OF HEAD OF DITCH: 1.30
LENGTH OF DELIVERY SECTION: .00

LOSS TABLE FOR HEAD OF DITCH

MILE	Q (CFS)	LOSS (CFS)
1.00	.20	.16
1.30	.16	.04

NOTE CHANGED Q DIVERTED

$$AFA = 1 + 1 (28.7) = 57.4 AFA$$

WRR100
65-10771

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
24-FEB-1986 17:16:32

01 WATER RIGHT NUMBER - 65-10771

02 OLD (D) NUMBER -

03001 - WOODS ✓ LAST NAME

04001 - ARLIE L. ✓ FIRST NAME

05001 - C ORIG. OWNER

06 ADD LINE 1 -

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - HORSESHOE BEND ✓

10 STATE - ID ✓ 11 ZIP - 83629

12 STAGE - D DECREE ✓

13 STATUS -

14001 - PORTER CREEK ✓ SOURCE

15001 - PAYETTE RIVER ✓ TRIBUTARY OF

16 DIVERSION MEANS -

17 COUNTY - 15 BOISE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .320 ✓

20 TOTAL DIVERSION VOLUME - .70 ✓

21 WATER DISTRICT - 65

TRACT	SEC	TWN	RNG	LOT	RFLG	STREAM	INDEX	FIELDS
22001 - NWSE ✓	23001 - 12 ✓	24001 - 07N ✓	25001 - 02E ✓	26001 - 28001 - 0	27001 - 0.0	0.0	0.0	0.0
					0.0	0.0	0.0	0.0

29 NON-IRRIGATION USE -

USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION ✓	31001 - 07N ✓	32001 - 02E ✓	33001 - 11 ✓	34001 - SESE ✓	35001 - 08 ✓	36001 -
						TOTAL ACRES: 8 ✓

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0401 ✓	38001 - 1101 ✓	39001 - 01 IRRIGATION ✓	40001 -	0.320 ✓	41001 - 0.00
37002 - 0101 ✓	38002 - 1231 ✓	39002 - 04 STOCKWATER ✓	40002 -	0.020 ✓	41002 - 0.70

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

44001 - POINT OF DIVERSION HAS TWO POINTS IN NWSE. ✓ REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

D A T E S	D A T E S	F L A G S
47 PRIORITY - 1-JUN-1905 ✓	55 LICENSE -	63 TRANSFER/AMENDED -
48 PROOF DUE -	56 APPL RECEIVED -	64 OLE/CAREY ACT -
49 PROOF MADE -	57 FIELD EXAM MADE -	65 FLAG_1 -
50 APPROVE/DENIED -	58 DECREE -	66 FLAG_2 -
51 PROTESTED -	59 START WORK -	67 FLAG_3 -
52 HEARING -	60 ORDER SHOW CAUSE -	
53 VERIFIED -	61 DATE_1 -	

WRR100
65-10771

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
24-FEB-1986 17:16:32

----- D A T E S ----- D A T E S ----- F L A G S -----

54 LAST UPDATE - 27-APR-1978

62 DATE_2

-

2/25/86
VERIFIED JKN

ASSUMING :

MED PERV. CLAY LOAM SOILS WITH

APPROX. 10% / MI. SEEPAGE LOSS @ .16 CFS

MEASURED 1.333 MI. DITCH

$$\text{CALC. } 10\% \times .16 \times 1.33 = .02 \text{ CFS}$$

$$.16 + .02 = .18 \text{ CFS.}$$

RECEIVED

MAY 30 1904

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

No. 904.

Department of Water Resources
Western Regional Office

1. Name of applicant Roscoe C. Woods,
Postoffice address: P.O. Horse Shoe Bend, County: Boise.
2. The quantity of water claimed is one cubic foot per second.
3. Source of water supply is Porter Creek, Boise County.
4. Location of Point of Diversion the S. W. Corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 12, T. 7 N., of R. 2 E., B.M.
5. To be used for:
 - I. Irrigation and domestic use.
 - (a) Number of acres to be irrigated about fifty acres.
 - (b) In the following legal subdivisions S $\frac{1}{2}$ of the SE $\frac{1}{4}$, Sec. 11, T. 7 N., of R. 2 E., B.M.
6. Estimated cost of works: Three hundred seventy-five dollars, (\$375.00)
7. Description of works for diversion:
 - I. Kind of works: Ditch
 - II. Dimensions of works:
 - (c) Size of headgate, width sixteen inches, height eighteen inches.
 - (d) Ditch (flume or pipe) width at bottom two feet, width at water line two and one-half feet, depth of water about six inches. Average grade per mile is five feet. Length of ditch is one and seven eighths miles, and it crosses the following quarter sections SW $\frac{1}{4}$ of Sec. 12 T. 7 N., R. 2 E., B.M. to the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 11 which is the point of intended use.
8. Time required for the completion of the construction of such work is two years.
9. Time required for the complete application of the water to the proposed use is two years.

APPROVAL OF STATE ENGINEER

The number of this permit is 632.

Date of first receipt of application 8 A. M., May 31, 1904.

Recorded in Book 3, Page 632.

Approved May 31, 1904.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

One-fifth of the work above specified to be completed on or before May 31, 1905.

The whole of said work to be completed on or before May 31, 1906.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to May 31, 1908.

Witness my hand this thirty-first day of May, 1904.

Wayne Darlington
State Engineer

Permit No.

Proof of Completion of Works

DEPOSITION OF HOLDER

Under Terms of H. B. 53, Laws 1917.

Ques. 1. State your name, age, residence, occupation and postoffice address

Ans. *R. C. Woods, 46 yrs, Farming & stock raising, Starvation Bend, Idaho.*

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf

Ans. _____

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source and point of diversion.

Ans. *#632, approved May 31, 1904*

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you have reclaimed or intend to reclaim.

Ans. *Irrigation*

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. *Water turned in 1904, as much as 100 inches*

Ques. 6. State whether or not the works of diversion are fully completed, if so on what date, and whether or not they comply in all respects with the terms of the permit.

Ans. *all complete - Spring 9, 1904*

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. _____

Ques. 8. Give description of works and state dimensions and capacity of each part as they existed on *May 31, 1904* and give cost of same

Ans. *Dirt Dam reinforced by rock - ditch in good shape capable of carrying 100 inches of ditch at present in good shape*

(Sign here) *Rose C. Woods*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in _____ County of _____ State of Idaho, on this _____ day of _____

Jan _____ A. D. 1922

My Commission expires *6/6/23* *Chas. F. Austin* Notary Public.

The Deposition of Witnesses, in this form, taken separately, required in each case.

Permit No 632

Proof of Completion of Works

DEPOSITION OF WITNESS

Under Terms of H. B. 53, Laws 1917

Ques. 1 State your name, age, residence, occupation and postoffice address

Ans. M. A. Eastman Farmer - Horse Shoe Bend,
Idaho

Ques. 2 Are you acquainted with Roscoe C. Woods the

holder of Permit No 632 authorizing the diversion of 1 second-feet of the water of

Porter Creek, Boise Co., Id., at

for Irrigation purposes? How long have you known him, and where does he reside?

Ans. 20 yrs. Boise, Id., T. 4, R. 1, E. 1.

Ques. 3 Have you read or heard read said Permit No 632 and are you familiar with its terms and conditions?

Ans. yes.

Ques. 4 (If for irrigation purposes) Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. yes. Granite Team Detrition
and wash from the mountains,
1 inch to the acre

Ques. 5 Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so when were they so completed?

Ans. yes, completed
1903

Ques. 6 Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date

Ans. Dirt Dam Reinforced by rock-
ditch leading from same capable of
carrying 100 inches of water

(Sign here) M. A. Eastman

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Horse Shoe Bend, County

of Boise, State of Idaho, on this 25 day of

Jan. A. D. 1918

Chas. F. Austin

My commission expires Apr. 1, 1919

Notary Public.

The Deposition of Witnesses, in this form, taken separately, required in each case.

Permit No. 632

Proof of Completion of Works

DEPOSITION OF WITNESS

Under Terms of H. B. 53, Laws 1917

Ques. 1. State your name, age, residence, occupation and postoffice address

Ans. John T. Hanson, age 54 - Farmer
Horse Shoe Bend Ida.

Ques. 2. Are you acquainted with Roscoe E. Woods the

holder of Permit No. 632 authorizing the diversion of 1 second-foot of the waters of
Porter Creek, Boise Co., Id. See 12 T 77, R 2 E
for irrigation purposes? How long have you known him, and where does he reside?

Ans. Known him 25 yrs. See 11, T 7 N, R 2 E, 13 W.

Ques. 3. Have you read or heard read said Permit No. 632 and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation

Ans. Gravels loam sloping hillside

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so when were they so completed?

Ans. Yes, completed 1903

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date

Ans. Dirt & Rock Dam, Ditch leading from same capable of carrying 100 inches of water

(Sign here). John T. Hanson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Horse Shoe Bend County

of Boise State of Idaho, on this 25 day of

Jan A. D. 1913
My commission expires 6/1/13

Chas F. Austin
Notary Public.

632



77N 72E B.M.

10

55-

5

5E012

14

١٠٠

—

У

279

Application No. 874.
SECRETARY NO. 13
MOSCOW C. 10036.
1 Dec. 21. 2 Porter Creek.
Boiler Co.
Approved May 11, 1904.

• JUST 13 Lines to satisfy

三

၁၂၅

७५६

6-11-59

1

RECEIVED

AUG 20 1984

Department of Water Resources
Western Regional Office

Proof of Completion of Works made January 25, 1922.
Certificate issued January 30, 1922.

Permit No. 632

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Roscoe C. Woods of Horseshoe Bend, County of Boise, and State of Idaho, the holder of Permit No. 632, issued upon Application No. 904, bearing date of priority of May 31, 1904, authorizing the diversion of one second foot of the waters of Porter Creek, County of Boise, State of Idaho for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use one second foot of the waters of Porter Creek; that the point of diversion of said waters is at the SW Corner of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12, T. 7 N., of R. 2 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, T. 7 N., R. 2 E., B. M.

Witness my hand this 30th day of January, A. D. 1922.

W. G. SWENDSEN,
Commissioner of Reclamation

By Geo. B. Archibald,
Assistant.

RECEIVED
JAN 30 1922

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Water Resources
Western Regional Office

In the Matter of the Reinstatement
of Permit No. 632, under the Provi-
sions of Section 5594, Compiled
Statutes of Idaho.

ORDER REINSTATING PERMIT 632

WHEREAS, Permit No. 632 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the permit, to-wit: May 31, 1906; and,

WHEREAS, On the 28th day of November, 1921, notice to show cause why said permit should not be cancelled under the provisions of Section 5594, Idaho Compiled Statutes, was duly served on the holder of said permit; and,

WHEREAS, On the 7th day of January, 1922, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 25th day of January, 1922, depositions of the holder and two witnesses were received at the Department of Reclamation showing the said works of diversion were completed with the time required in the permit; and,

WHEREAS, After examination of the said depositions, the Commissioner of Reclamation of the State of Idaho is fully satisfied that the works of diversion were completed, as required under the terms of said Permit No. 632, and that the holder has acted in good faith:

IT IS, THEREFORE, Hereby ordered that said Permit No. 632 be, and the same is, hereby reinstated and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 30th day of January, 1922.

W. G. SMERDSEN,
Commissioner of Reclamation

(SEAL)

By Geo. B. Archibald,
Assistant.

RECEIVED

AUG 20 1984

State of Idaho

Department of Water Resources
Western Regional Office

DEPARTMENT OF RECLAMATION

No. 11554

RECEIVED
FROM

Boise, Idaho

1926

of

R. L. Kordas
of *Boise, Idaho*
one and 50/100

DOLLARS

FOR

Carey Act Trust Fund - - - \$

Application for Permit No. . . . \$

Proofs - - - \$

Certified Copy *Per. # 6127* \$

Recording Deed - - - \$

Certificate - - - \$

Total - - - \$

150

W. L. Swenson
Commissioner of Reclamation
By *Samuel Lane*

RECORDED
1926 9 16

Department of Water Resources
Western Regional Office

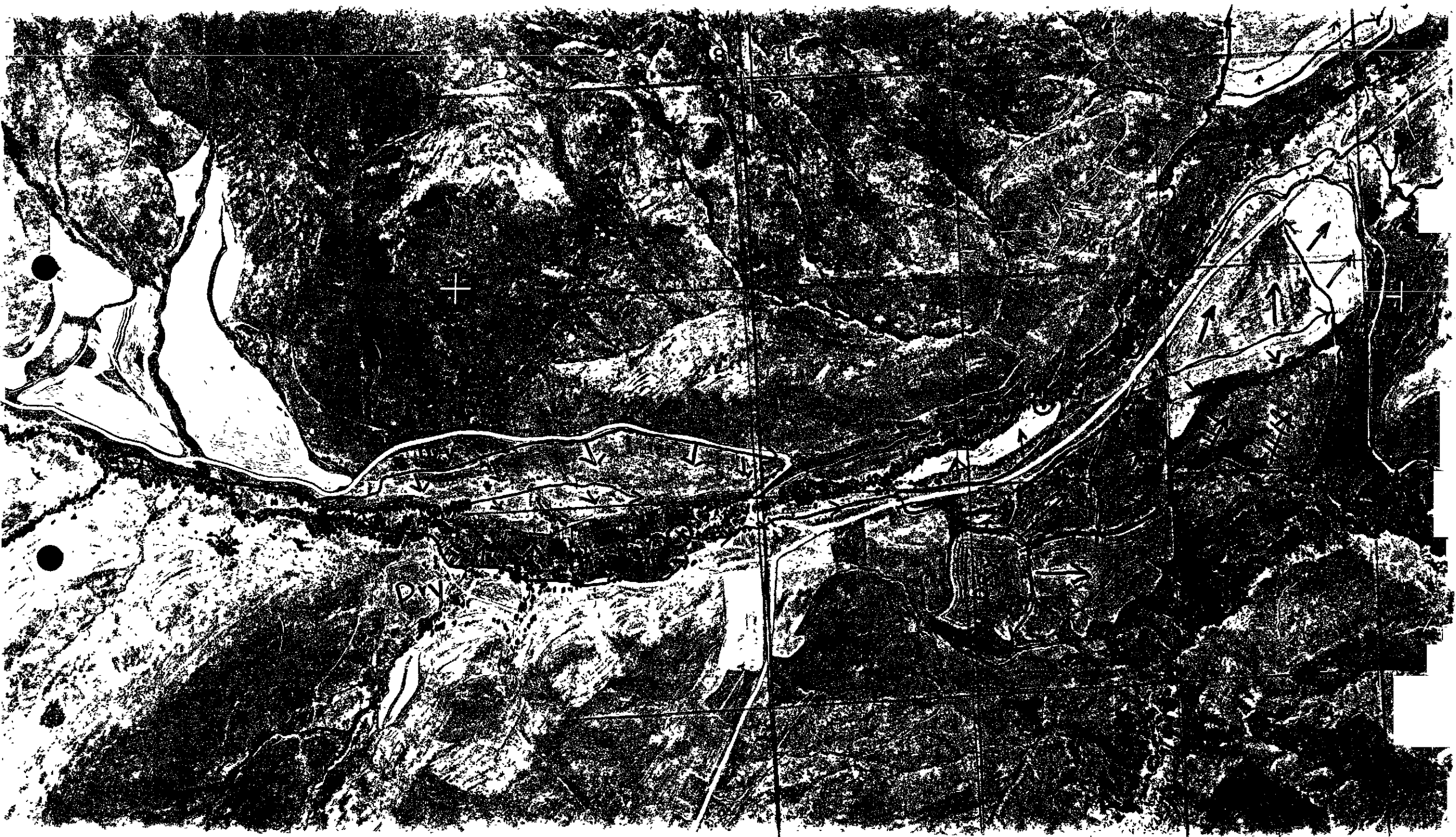
STATE OF IDAHO,)
County of Ada.) ss.

I, W. G. SWENDSEN, Commissioner of Reclamation of the State of Idaho, hereby certify that the above and foregoing is a full, true and correct copy of Permit to appropriate the Public Waters of the State of Idaho, No. 632, including the Certificate of Completion of Works and Order Reinstating Permit, as the same appears of record in the Department of Reclamation, in Book 3 of Permits, Page 632.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this 16th day of September, 1926.

W. G. SWENDSEN
Commissioner of Reclamation

By Clara M. Brown
Custodian of Records.







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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-10771
DATE RECEIVED: 3-30-89
RECEIPT NO: X999999
RECEIVED BY: BAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: ARLIE L. WOODS
ADDRESS: HORSESHOE BEND, ID 83629
2. DATE OF PRIORITY: JUN 01, 1905
3. SOURCE: PORTER CREEK TRIB. TO: PAYETTE RIVER
4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
07N	02E	12	NW	SE			BOISE

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S	(OR)	A.F.A.
IRRIGATION	04/01	11/01	0.320		
STOCKWATER	01/01	12/31	0.020		0.70

7. TOTAL QUANTITY APPROPRIATED IS:
0.320 C.F.S. (AND/OR) 0.70 A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
07N	02E	11	SE	SE		IRR	8.0
SECTION ACRES							8.0

10. PLACE OF USE: CONTINUED

TOTAL ACRES

8.0

11. PLACE OF USE IN COUNTIES: BOISE, BOISE

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

POINT OF DIVERSION HAS TWO POINTS IN NWSE.

15. BASIS OF CLAIM: DECREEED

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO

DECREE PLAINTIFF

A & C CORP., ET AL.

VS

DECREE DEFENDANT

MICROFILMED

SEP 24 1992

16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I/WE DO _____ DO NOT ☒ WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: 0

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): Charlie L. Woods DATE: Mar 30 89

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF

TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF

TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Ada) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 30th DAY
OF March 19 89
Helen Harrington
NOTARY PUBLIC

SEAL

Helen Harrington, Notary Public
RESIDING AT Residing at Boise, Idaho
My Commission Expires December 1, 1994
MY COMMISSION EXPIRES _____

MICROFILMED
SEP 24 1992

1/23/1988

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Archie L Wood

CLAIM IDENT. NO.

DATE RECEIVED

3/30/89

CK #

N/A

AMOUNT \$

N/A

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ *
2. Is a priority date entered? ☒ YES ☐ NO ☐ *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO ☐ *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ *
- Is the period of use included? ☒ YES ☐ NO ☐ *
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ *
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ *
- Is the consumptive use correct? ☒ YES ☐ NO ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO ☐ *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ *
22. Should this claim be receipted and data entered? ☒ YES ☐ NO ☐ *

Claim checked by:

Bruce A. Schell

Date:

3/30/89

Claim must be returned to claimant:

(Yes) (No)

Claimant must be sent a copy of amended claim for approval:

(Yes) (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

Decreed Right

MICROFILMED

SEP 24 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

GEORGE DOVEL and ELISABETH)
V. WALLACE,)

Petitioners,)

vs.)

DOUBLE DIAMOND, INC.;)
PATRICIA MILLER; and ARLIE)
L. WOODS and PAULINE WOODS,)
husband and wife.)

Respondents.)

ORDER ON PETITION TO
DECLARE WATER RIGHTS
TERMINATED

A65-10771

On May 13, 1991, petitioners George Dovel and Elisabeth V. Wallace filed with the Idaho Department of Water Resources (IDWR) a Petition to Declare Water Rights Terminated. The petitioners request that IDWR schedule a hearing to consider the merits of the relief requested in the petition. The petition seeks a declaration of forfeiture or abandonment of certain decreed water rights from Porter Creek determined in the recent court adjudication entitled *In Re Payette River Drainage Adjudication*, No. 3667 (3rd Jud. Dist., Idaho, Gem Co., partial decree filed Jan. 21, 1986). The Payette adjudication determined rights to the use of water in the Payette Basin as of October 18, 1977.

The decreed water rights that the petitioners seek to have declared terminated either partially or totally are as follows:

ORDER ON PETITION TO DECLARE
WATER RIGHTS TERMINATED - Page 1

MICROFILMED
AUG 04 1994

1. Right No. 65-03103 in the name of Double Diamond, Inc. with a priority of 1-1-1872 for 3.82 cfs;
2. Right No. 65-03839 in the name of Patricia Miller with a priority of 4-1-1885 for .54 cfs; and
3. Right No. 65-10771 in the name of Arlie L. Woods with a priority of 6-1-1905 for .32 cfs.

The petitioners allege that Double Diamond, Inc. has abandoned or forfeited one-half of right 65-03103 through failure of use after the October 18, 1977 cutoff date for the determination of rights in the *Payette Adjudication*. Petitioners likewise allege that Patricia Miller has abandoned or forfeited all of right 65-03839 and that Arlie L. Woods and Pauline Woods have abandoned or forfeited all of right 65-10771 due to nonuse since October 18, 1977.

Assuming that IDWR has authority to determine the validity of decreed water rights other than as part of a transfer proceeding, it would not be appropriate for IDWR to undertake an administrative determination of the validity of the decreed rights identified by the petitioners because of the ongoing Snake River Basin Adjudication (SRBA). A review of all Porter Creek water rights is currently pending as part of the SRBA, entitled *In re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water Sys.*, No. 39576 (5th Jud. Dist., Twin Falls Co., Idaho, Commencement Order filed Nov. 19, 1987).

The Director's Report on water rights within the Payette River Basin, including Porter Creek, presently is scheduled to be filed with the district court in January 1995. At that time, any water user may file with the court an objection to the manner in which

a particular water right has been recommended by the director. As among the parties to the Payette adjudication, or their successors in interest, the Payette Decree will be considered to have conclusively determined the validity of the rights decreed as of October 19, 1977, the cutoff date for the determination of rights in the Payette Decree.

The petitioners will have an opportunity as part of the pending SRBA to raise their concerns regarding the continued validity of the three Porter Creek water rights that they seek to have declared terminated through the filing of the present petition.

IT IS THEREFORE ORDERED That the director of the Department of Water Resources declines to exercise any jurisdiction that the department may have to determine the validity of the decreed water rights that the petitioners seek to have declared terminated through abandonment or forfeiture in this administrative proceeding.

DATED this 29TH day of July, 1991.


R. KEITH HIGGINSON
Director

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of July, 1991, I mailed a true and correct copy of the Order on Petition to Declare Water Rights Terminated , postage prepaid, to the following individuals:

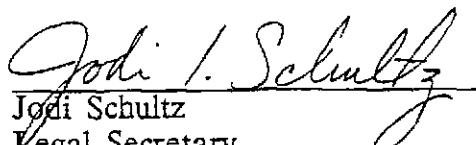
Richard B. Eismann
Eismann Law Offices
3016 Caldwell Boulevard
Nampa, Idaho 83651-3100

Double Diamond, Inc.
Route 1, Box 54
Horseshoe Bend, Idaho 83629

Donald J. Rumsey
Brake Diaphragm, Inc.
200 Sunrise Rim road
Boise, Idaho 83705

Patricia L. (Adams) Miller
5627 Freemont
Boise, Idaho 83706

Arlie L. and Pauline Woods
Route 1
Horseshoe Bend, Idaho 83629


Jodi Schultz
Legal Secretary