



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 17, 1996

Valley

DR AND MRS EDWARD **WOOD**
9908 CENTER RD
CASCADE ID 83611

RE: Snake River Basin Adjudication (SRBA)
Notices of Claims #A65-17808 & #A65-17809 (Amended)
Wood Living Trust

Dear Dr. and Mrs. Wood,

Following the telephone call this morning from Dr. Wood, I have enclosed copies of Amended Notices of Claims referenced above as requested. Please sign the claims in front of a Notary Public and return them to my attention.

I have also enclosed an Application for Permit for your use. If you have any questions, please contact me.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:ss:state:tf

Enclosures:

Amended Notices of Claim #A65-17808 & #A65-17809
Application for Permit w/Instructions

MICROFILMED
OCT 21 1996

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: A65-17808
Date Received: 12/16/1988
Receipt No: W001672
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: EDWARD M WOOD
Address: FOR WOOD LIVING TRUST
9908 SPOOR RD
PO BOX 670
CASCADE ID

208-382-4828

83611

AND/OR

Name: JEAN WOOD
Address: FOR WOOD LIVING TRUST
9908 SPOOR RD
PO BOX 670
CASCADE ID

208-382-4828

83611

2. Date of Priority: OCT 19, 1977

3. Source: GROUNDWATER
SPRINGS (2)

Trib. to:
SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	04E	8	NW	SW			VALLEY

5. Description of diverting works:

90' DEEP, 6" CS, 2 NATURAL SPRINGS W/300 GAL SEPTIC TANK RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.040		

7. Total Quantity Appropriated is:

0.080 C.F.S. (and/or) A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC, ONE HOME; STOCKWATER, 1-6 HORSES & MULES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	04E	8	NW	SW		DOMEST	
			NW	SW		STOCK	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

NONE

14. Remarks:

SEE CONVERSATION MEMO

ITEM 5 CONT'D-RESERVOIRS AND PLASTIC UNDERGROUND PIPE TO POINT OF USE.

ADDRESS CHANGED PER CLAIMANT REQUEST. LH 7/25/97

15. Basis of Claim: BENEFICIAL USE

*

CHANGE IN ADDRESS OF NOTICE OF CLAIM

RECEIVED

JUL 25 1997

WATER RESOURCES
WESTERN REGION

[] Water Right Number (s): 65-13654, A65-05663A

A65-10189, A65-17808

A65-17809, A65-17810

[] Old Mailing Address: 9908 Center Road

HC 71 Box 5000

CASCADE, ID 83611

[] New Mailing Address: P.O. Box 670

9908 Spoor Road

Cascade, ID 83611

New Telephone Number: (208) 382 -6624

[] Signature of Claimant: Edward M. Wood EDWARD M. WOOD

Date: July 25, 1997

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 7-25-97 By: JD

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 7-25-97 By: JD

*

Water Rights &/or SRBA claims can be listed
-JZ 7/21/97

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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Received By: _____

AMENDED

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

AMENDED

1. Name: EDWARD M WOOD 208-382-4828
Address: FOR WOOD LIVING TRUST
9908 CENTER RD
CASCADE ID 83611

AND/OR

Name: JEAN WOOD 208-382-4828
Address: FOR WOOD LIVING TRUST
9908 CENTER RD
CASCADE ID 83611

2. Date of Priority: OCT 19, 1977

3. Source: GROUNDWATER Trib. to:
SPRINGS (2) SINKS

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11N	04E	8	NW	SW		DOMEST	
			NW	SW		STOCK	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:

SEE CONVERSATION MEMO
ITEM 5 CONT'D-RESERVOIRS AND PLASTIC UNDERGROUND PIPE TO POINT OF
USE.

15. Basis of Claim: BENEFICIAL USE

RECEIVED

JAN 23 1996

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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IN RE THE GENERAL ADJUDICATION
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Ident. Number: A65-17808

Date Received: 12/16/1988

Receipt No: W001672

Received By: JS

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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9908 CENTER RD
CASCADE ID 83611

AND/OR

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14. Remarks:

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ITEM 5 CONT'D-RESERVOIRS AND PLASTIC UNDERGROUND PIPE TO POINT OF
USE.

15. Basis of Claim: BENEFICIAL USE

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):

Edward M Wood
Jean Wood

Date: 1-22-96

Date: 1-22-96

State of Idaho)
County of Valley) SS.

Subscribed and sworn (or affirmed) before me this 22nd day

of January 19 96

Seal

Lorna K. Lynskey
Notary Public

Residing at Cascade

My Commission Expires 5-3-2000

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

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Address: HC 71, BOX 5000
CASCADE, ID 83611

AND

Name: JEAN WOOD 208-382-4828
Address: HC 71, BOX 5000
CASCADE, ID 83611

2. Date of Priority: OCT 19, 1977

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SPRINGS (2)

4. Point of Diversion:

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A65-17808

Page 1

Date: 12/16/88

MICROFILMED
SEP 28 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	04E	8	NE	SW		DOMEST	
			NE	SW		STOCK	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:
SEE CONVERSATION MEMO
ITEM 5 CONT'D-RESERVOIRS AND PLASTIC UNDERGROUND PIPE TO POINT OF
USE.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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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**

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

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576

AC65-1780811-7-88

**NOTICE OF CLAIM
TO A
WATER RIGHT**

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Department of Agriculture
Water and Irrigation Division

Please type or print clearly

- Name of Claimant (s) EDWARD M. & JEAN WOOD Phone (208) 382-4828
Mailing Address HC-71, Box 5000, Cascade, ID Zip 83611
- Date of Priority (Only one (1) per claim) _____
- Source of water supply (a) GROUNDWATER (WELL, TWO SPRINGS)
which is tributary to (b) _____
- Location of point of diversion is: Township 11N Range 4E
Section 8, SW 1/4 of NW 1/4 of SW 1/4, Govt. Lot _____, B.M.,
County of VALLEY
Additional points of diversion if any: 2 springs at same location as well
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well, 90' depth, 6" casing;
2 natural springs with 300 gal septic tank reservoirs and plastic
underground pipe to point of use.
- Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
For DOMESTIC purposes from 1-1 (Both dates are inclusive) to 12-31 amount 0.04 (cfs)
For STOCKWATER purposes from 1-1 to 12-31 amount 0.04
- Total quantity claimed 0.08 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) Domestic, 1 household; Stockwater, 1-6 horses & mules

MICROFILMED

SEP 28 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
11N	4E	8									D							
11N	4E	8									S							

11. In which county (ies) are lands listed above as place of use located? VALLEY

12. Do you own the property listed above as place of use? Yes X No

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (☒)

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Edward M. Moore Date 11-4-88

Date 11-4-88

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 Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization	Date
------------------------	------

State of Idaho/or _____)
County of Valley) SS.

Subscribed and sworn (or affirmed) before me this 4/11 day of Nov 19 88

SEAL

Notary Public *Lynda L. Casper*

Residing at Cascade Motel

My Commission Expires 6-24-91

Last Name **WOOD** Ident No.

MICROFILMED

SEP 28 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

9722/1988

SRBA CLAIMS RECEIVING CHECKLIST

(2)

CLAIMANT'S NAME

Wood, Edward

CLAIM IDENT. NO.

A65-17808

DATE RECEIVED

11-7-88

CK #

2500

AMOUNT \$

1061

YES

NO

1. Is the name and address complete with zip code? ☒2. Is a priority date entered? ☒

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? ☒

(b) Is a tributary to entered? (if required)

N/A

4. Is the legal description of the p.d. sufficient? ☒5. Is there a description of the diverting works? ☒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. ☒Is the period of use included? ☒Is a quantity claimed for each use? ☒7. Is a total quantity claimed entered? ☒8. If required is a consumptive use entered? ☒

N/A

Is the consumptive use correct? ☒

N/A

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, each household must file a separate claim. See Adjudication Memo # 4. ☒10. Is (are) the place(s) of use entered? ☒11. Is (are) the county(ies) entered? ☒12. Is the ownership of p.u. checked? ☒13. Are other water rights listed or "none" checked? ☒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.) ☒

N/A

15. Is the basis of the claim checked? ☒16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒Has the claim been signed, sealed, and dated by a notary? ☒Is the fee enclosed correct? ☒If this claim is based on an existing water right, has the identification number been entered? ☒

N/A

Should this claim be receipted and data entered? ☒

Claim checked by:

LW

Comments:

priority date, source - single system10-19-1977

MICROFILMED

CFR 29

AJ0749NP
No. R65-17808

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/14/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JEAN WOOD	10/19/1977	STOCKWATER	01-01 12-31	0.04 CFS	
C	EDWARD M WOOD		DOMESTIC	01-01 12-31	0.04 CFS	
	9908 SPOOR RD					
	PO BOX 670					
	CASCADE ID 83611					
	(208) 382-4828					
				TOTAL DIVERSION:	0.08 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T11N R04E S08

SWNWSW

VALLEY County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
11N	04E	8	:		:		:		:		:		:		:	

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
11N	04E	8	:		:		:		:		:		:		:	

POU County: VALLEY

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP11N04E082407A
STOCKWATER, 6 HORSES OR MULES

Dates: Exam Made Date: Verified Date: 05/14/1999 Objection Filed Date:

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

AJ0749NP
No. R65-17808

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/14/99
PAGE: 2

=====

Comments: Date: 10/12/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
SEE CONVERSATION MEMO
ITEM 5 CONT'D-RESERVOIRS AND PLASTIC UNDERGROUND PIPE TO POINT OF
USE.

Date: 07/25/1997 User-ID: LHARRIS Subject: ADDRESS CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
ADDRESS CHANGE.

Date: 05/14/1999 User-ID: KWALKER Subject: RECOMMENDATION
REMOVED SPRINGS AS SOURCE - DEVELOPED AFTER 1971 (MANDATORY
PERMIT STATUTE. CAN RECOMMEND WELL WITH THIS PRIORITY DATE.

Audit: 05/14/99 KWALKER

September 29, 1999

**NOTICE OF ERROR
REPLY**

RECEIVED

OCT 20 1999

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 29, 1999

Water right number: 65-17808

JEAN WOOD
EDWARD M WOOD
9908 SPOOR RD
PO BOX 670
CASCADE ID 83611

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 10-18-99 SIGNATURE: _____

Please print your name: _____

E.M. Wood

EDWARD M. WOOD, M.D., PH.D.

P. O. BOX 670
CASCADE, IDAHO 83611
(208)382-6624 FAX (208) 382-3129
E-mail:sourdo@cyberhighway.net

RECEIVED
MAY 19 1999
WATER RESOURCES
WESTERN REGION

May 18, 1999

RE: Notice of Claims to a Water Right Nos. A-65-17810 & A65-17808

DEPARTMENT OF WATER RESOURCES

Western Region
2735 Airport Way
Boise, ID 83705-5082

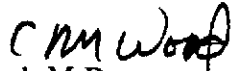
Gentlemen:

Reference is made to the unsigned letter dated May 14, 1999 (copy enclosed) relative to the above water right claims. Please route this response to the appropriate persons.

Reference was made to difficulty in recommending these claims to the SRBA Court in Twin Falls based on the interpretation that the claims indicted that the water use began prior to an application and approval for diversion. Perhaps some background information will be helpful to you in recommending approval of these claims.

The property involved with these claims was purchased in 1986 and the claims were filed in 1988 to document and substantiate prior use by former owners over the previous fifty years. I believe applications were also filed for both claims at that time but over the past 12 years those copies have been discarded. In any event neither claim represents any new use nor diversion of a surface water source. In addition I note in the Instructions for Filing An Application the comment that "The only water uses that are authorized to commence without an approved permit are: 1) Use for single ownership homes, campgrounds, stockwater or other uses of less than 2,500 gallons of water per day from groundwater and 2) Stockwater use where the stock drink directly from a surface water source." These water uses are directly applicable to the above claims.

I hope this information will help you to recommend approval of the two referenced claims.

Sincerely, 
E. M. Wood, M.D.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 14, 1999

RE: Notice of Claims to a Water Right Nos. A65-17810 & A65-17808

Edward M. and Jean Wood
9908 Spoor Rd.
P.O. Box 670
Cascade, ID 83611

Dear Claimants:

We are currently in the process of reviewing the above referenced claims which were filed in the Snake River Basin Adjudication (SRBA). However, due to the problem explained below we may not be able to recommend these claims to the SRBA Court in Twin Falls for decree. A copy of these claims are enclosed for your review.

Claim A65-17810

This claim was filed indicating the water use claimed began after the implementation of the water appropriation statute requiring that any new use of water from a surface water source must have an application for permit filed and approved prior to any diversion of the water. On May 20, 1971, the water appropriation statute, under Idaho Code, Volume 8, Section 42-201 for surface water diversion was implemented. The water use you have claimed did require a permit filing and after researching our records, no previously filed permit was found. We will likely recommend this claim to the court for disallowal based on the water appropriation statute and priority date claimed. Therefore, you should file an application for permit in order to insure you have a water right in the future. Enclosed is an application for permit form with instructions.

Claim A65-17808

This claim was filed describing the sources of groundwater and two springs. We can recommend use of the well under the 10/19/1977 priority date to the SRBA Court but the springs cannot be included as described above. If you are using these springs you should file an application for permit to insure you have a water right.

If you have any questions concerning this letter, please feel free to contact this office by phone. If you plan on coming into the office to discuss your filings, please contact the office first to make an appointment to guarantee someone will be available to assist you.

Sincerely,

DEPT. OF WATER RESOURCES
WESTERN REGIONAL OFFICE

Enclosures

AJ5809NP
No. R65-17808

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/13/98
PAGE: 7

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDWARD M WOOD	10/19/1977	STOCKWATER	01-01 12-31	0.04 CFS	
C	JEAN WOOD		DOMESTIC	01-01 12-31	0.04 CFS	
	9908 SPOOR RD					
	PO BOX 670					
	CASCADE ID 83611					
	(208) 382-4828					
				TOTAL DIVERSION:	0.08 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T11N R04E S08

SWNWSW

VALLEY County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE							
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
11N	04E	8	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE							
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
11N	04E	8	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac

POU County: VALLEY

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Hold - surface water after 1971

Remarks: EXP PARCEL NO. RP11N04E082407A
STOCKWATER, 6 HORSES OR MULES

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. R65-17808

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/13/98
PAGE: 8

=====

Comments: Date: 10/12/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
SEE CONVERSATION MEMO
ITEM 5 CONT'D-RESERVOIRS AND PLASTIC UNDERGROUND PIPE TO POINT OF
USE.

Date: 07/25/1997 User-ID: LHARRIS Subject: ADDRESS CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
ADDRESS CHANGE.

Audit: 10/05/93 DUNN1 10/12/93 DUNN1 03/30/95 POST-STD 07/25/97 LHARRIS
08/14/97 AJU3-DSH 08/25/97 CORR2

AJ0749NP
No. R65-17808

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/25/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDWARD M WOOD	10/19/1977	STOCKWATER	01-01 12-31	0.04 CFS	
C	JEAN WOOD		DOMESTIC	01-01 12-31	0.04 CFS	
	9908 SPOOR RD					
	PO BOX 670					
	CASCADE ID 83611					
	(208) 382-4828					
				TOTAL DIVERSION:	0.08 CFS	

Water Source: GROUNDWATER
SPRINGS (2)

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T11N R04E S08

SWNWSW

VALLEY County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
11N	04E	8	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
11N	04E	8	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: VALLEY

Non-Irrigation Uses: DOMESTIC, 1 HOME; STOCKWATER, 6 HORSES OR MULES

Other Rights: NONE

Remarks: GEN PARCEL NO. RP11N04E082407A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 10/12/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
SEE CONVERSATION MEMO

AJ0749NP
No. R65-17808

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/25/97
PAGE: 2

=====

Comments: Date: 10/12/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
ITEM 5 CONT'D-RESERVOIRS AND PLASTIC UNDERGROUND PIPE TO POINT OF
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Date: 07/25/1997 User-ID: LHARRIS Subject: ADDRESS CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
ADDRESS CHANGE.

Audit: 07/25/97 LHARRIS

Edward M. Wood, M.D., Ph.D

P.O. BOX 670
CASCADE, IDAHO 83611
PHONE (208) 382-6624
FAX (208) 382-3129

RECEIVED

JUL 25 1997

WATER RESOURCES
WESTERN REGION

July 25, 1997


Steve Lester
Water Rights Supervisor,
IDAHO DEPARTMENT OF WATER RESOURCES
2735 Airport Way,
Boise, ID 83705

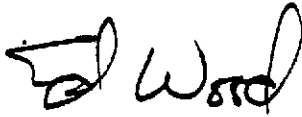
Hi Steve:

Thanks for the update on the progress of the Camp Creek water right. I guess it's time to quit fighting city hall and I'll leave the fate of that water in your capable hands.

Our physical address has not changed in the last ten years but with the help of the postoffice and the county planners our mailing address seems to change with the seasons. I have identified the latest version on the Change of Address form which is enclosed.

I appreciate your letter and your help.

Sincerely,


Ed Wood



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

January 23, 1996

KARL J. DREHER
DIRECTOR

DR AND MRS EDWARD WOOD
9908 CENTER RD
CASCADE ID 83611

RE: Snake River Basin Adjudication (SRBA)
Notices of Claims #A65-17808 & #A65-17809 (Amended)
and Application for Permit
Wood Living Trust

Dear Dr. and Mrs. Wood,

The amended claims and application for water right permit you submitted were received on January 23, 1996. The amended claims will replace the claims you initially filed and will be investigated in concert with other Payette River basin claims. The application has been forwarded to the Western Region office for processing. Staff from that office will contact you if they have any questions.

The matter of the possible forfeiture of the Troutts' part of water right 65-05663 will be investigated and shared with those claimants after their claims are filed. As of this date, no claims have been filed for property the Troutts apparently own.

Thank you for the thoroughness with which you do business with us. Your professional habits make working with you a pleasant experience. You will be contacted periodically as the water right matters you have presented to us unfold. Certainly, you may contact us at any time with questions or assistance you may require.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:ss:region

MICROFILMED
OCT 21 1996

RECEIVED

JAN 23 1996

E.M.WOOD, Ph.D., M.D.
Anatomic, Clinical, Comparative Pathology
Forensic Medicine

Department of Water Resources

P.O.Box 670, Cascade, Idaho 83611
Phone (208) 382-6624, Fax (208) 382-3129

January 22, 1996

Karl J. Dreher, Director
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, ID 83720

Atten.: Donald V. Shaff *DF* → *FILE*

Dear Mr. Shaff:

Thank you for the Amended Notices of Claims #A65-17808 & #A65-17809. These notices have been signed and notarized and are returned herewith.

I have also completed and enclosed an Application For Permit as we discussed per telephone. Some background may help to establish the reasons for and validity of this application. Ken Troutt, Sr. purchased several large tracts of land in Round Valley on contracts which he was unable to fulfill and sometime in the mid 1980s declared bankruptcy. Approximately a thousand acres were put up for auction in 1986 and were purchased by Jones & Jones to help Troutt financially. We purchased 640 acres from Jones and Jones on September 3, 1986. The remaining property was then transferred to Kevin Troutt, who was not involved in the bankruptcy. With our purchase, Jones and Jones agreed to transfer 1/4 of the water right (#65-5663) associated with the Troutt property to our property. The Department of Water Resources, however, refused to honor this transfer until it was established that it would not result in more acreage under irrigation than before the transfer. Subsequently the Troutts through their attorney pursued a delaying action for over two years by failing to show how their reduction of use would be implemented. Finally the Department accepted my suggestions for an arbitrary reduction of 25% and approved the transfer on August 16, 1989.

Ironically, when we occupied the property in 1986, it was obvious from the complete deterioration of the ditches that the Troutts had not used their irrigation water rights for several years. Now 10 years later, they still haven't. A condition of the 1989 transfer approval was ..."failure to put the water to beneficial use within 5 years...shall constitute loss or forfeiture of the water rights".

A65-05663
MICROFILMED
OCT 21 1996

During the last 10 years Camp Creek has contained sufficient water to meet Water Right #65-5663 but little more. To approve the enclosed Application, would appear to require forfeiture of the inactive Trout allotment. Note that this would have no effect on their stockwater or domestic rights that are under 65-5665. It should be pointed out here, perhaps, that in 1991-92 several unjoined sections of irrigation pipe appeared in the vicinity of Camp Creek on the Troutt property in an apparent attempt to establish the *appearance* of usage. These pipe sections over subsequent years were never put together, and no pump has been connected to them.

After the transfer approval in 1989, we established an embankment and storage pond to raise the water level sufficiently to irrigate land to the north of the diversion point as specified in the original transfer application. We constructed a sharp crested weir at the diversion point to regulate water flow and have irrigated yearly since 1990. The lands in most of Round Valley have been overgrazed and overutilized for decades. Our applications for irrigation water have been intended to reverse this process and to rehabilitate the water table and habitat adjacent to Camp Creek. For several years we leased out grazing permits but have discontinued this practice until the above objectives are attained. We have a significant elk population in the area and intend to prioritize wildlife usage for some time

The assistance of the Department in expediting this Application will be very much appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ed Wood', with a stylized, cursive script.

Ed Wood

MICROFILMED

OCT 21 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

January 17, 1996

KARL J. DREHER
DIRECTOR

DR AND MRS EDWARD WOOD
9908 CENTER RD
CASCADE ID 83611

RE: Snake River Basin Adjudication (SRBA)
Notices of Claims #A65-17808 & #A65-17809 (Amended)
Wood Living Trust

Dear Dr. and Mrs. Wood,

Following the telephone call this morning from Dr. Wood, I have enclosed copies of Amended Notices of Claims referenced above as requested. Please sign the claims in front of a Notary Public and return them to my attention.

I have also enclosed an Application for Permit for your use. If you have any questions, please contact me.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:ss:state:tf

Enclosures:

Amended Notices of Claim #A65-17808 & #A65-17809
Application for Permit w/Instructions

MICROFILMED

OCT 21 1996

CONVERSATION MEMORANDUM

DATE 12-9-88FILE 65-5663 & 3 othersNAME OF PARTY Edward WoodEMPLOYEE A. WurmRE: 65-5663check transfer record

(2) Claim listing 1 well & 2 springs as source
AG65-17808 priority date = 10-19-1977, ^{Single} water delivery syst
Payette adj? No May need permit app. No

AG65-17809
(3) well drilled to replace another? NO
Payette filing not necessary

AG65-17810 (4) Payette adj? No. Need permit
app. No. Source Spring P/O: 10-19-1977

Need update on Camp Cr. transfer

MICROFILMED

SEP 28 1992

WATER RIGHT NUMBER - A65-17506

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.
+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.
+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000
+ - - AUDIT FIELDS - 12/16/83 WARNER 10/10/89 PERUNDML
+ - - - - COMMENTS - - - - - +
NO COMMENTS FOUND
+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 12/16/1985	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- 4001672	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLAG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND	NOTICE OF ERROR FLAG	-

RP 11N04E082407A

DATA ENTRY

ENTERED 10-11-93
CHECKED 2/14/94 DWD

Verified By
Topo Map/Ortho-PQ
USGS Map
Watermaster Records
NAAPP Photos
Field Exam
Owner (See Remarks)
County Records
Witness Statement
Project Records
GMA Records

VERIFIED
JUL 27 1992

PROOF
MAY 1 1992

CERTIFIED
SEP 25 1993
WATER EXAMINER

MICROFILMED
OCT 21 1996

WATER RIGHT NUMBER - 465-17303

PREFIX TRANSLATION: ADJUDICATION CLAIM

ULD (CD) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
WOOD

EDWARD M.

1 - HC 71, BOX 5000

2 -

3 -

CITY- CASCADE

STATE- ID ZIP- 83611

PHONE - 208-332-4825

WOOD

JEAN

1 - HC 71, BOX 5000

2 -

3 -

CITY- CASCADE

STATE- ID ZIP- 83611

PHONE - 208-332-4825

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
10/19/1977 ERROR IN REGION U - BENEFICIAL USE+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
GROUNDWATER
SPRINGS (2)+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

11N 04E 8 SW NW SW (85) VALLEY

+ - - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 01/01 12/31 0.040+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.080 0.0+ - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY11N 04E 8 NE SW 04 STOCKWATER (85) VALLEY
11N 04E 8 NE SW 43 DOMESTIC (85) VALLEY

+ - - DIVERSION MEANS - 20' DEEP, 6" CS, 2 NATURAL SPRINGS W/300 GAL SEPTIC TANK RESERVOIR

+ - - NON-IRRIGATION USE - D/DNE HOME; 3/1-5 HORSES & MULES

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +

SEE CONVERSATION MEMO
ITEM 5 CONT'D-RESERVOIRS AND PLASTIC UNDERGROUND PIPE TO POINT OF
USE.