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OCT 20 2005

DEPARTMENT OF
WATER RESOURCES

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jimspeck@cox-internet.com

DOUGLAS J. AANESTAD
aanestad@cox-internet.com

October 18, 2005

Mr. Steve Clelland
Sr. Water Resource Agent
Idaho Department of Water Resources
322 E. Front St.
Boise ID 83720-0098

**Re: Blaine County School District No. 61 -
SRBA Claims for portions of Water Right Nos. 37-639 and 37-640**

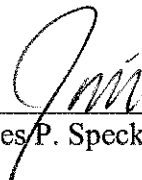
Dear Steve:

As we discussed last week, I have prepared the above-referenced claims for Blaine County School District No. 61 for lands it owns south of the city of Carey. The signed originals and one copy of each of these Claims are enclosed for filing. Would you please have your secretary receipt date stamp the copies and return them to me in the postage prepaid, self-addressed envelope included for that purpose. I have also included a filing fee check in the sum of \$111 calculated on the basis of \$50 for each claim and \$11 for the per acre fee. I ask that any late claim fee be waived by the Department as we have promptly and quickly taken action to get these claims filed once we became aware of the appurtenant water rights.

Please call me right away if you have any questions about these claims. Thank you for your cooperation and assistance in these matters.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal
Enclosures
cc: Client (w/encls.)

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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

CIVIL CASE NUMBER: 39576

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

Ident Number 37-21597
Date Received 10-20-05
Receipt Number C079418

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): Blaine County School District No. 61
Phone: 208-578-5000
Mailing Address: 118 West Bullion St., Hailey, ID, 83333

2. Date of Priority: December 1, 1881

3. Source of water supply (a) Little Wood River
which is tributary to (b) Malad River

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Lot</u>	<u>County</u>
1N	21E	30	NW	SW	SE		Blaine

Additional points of diversion if any:

5. Description of existing diversion works: West Canal; sprinkler irrigation

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
irrigation	April 15	October 31	0.05 cfs

7. Total Quantity Claimed: 0.05 cfs

8. Non-irrigation uses:

9. Place of use:

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>TOTALS</u>
1S	21E	34												11					11
TOTALS																			11.0

10. Place of use is located in Blaine County.

11. Do you own the property listed above as place of use? Yes

12. Describe any other water rights used at the same place and for the same purposes as described above?
37-640

13. Remarks: Place of use is Lots 1 and 2 of Carey View Estates (copy of plat is Attachment 1).

MAP OF PROJECT
(Show clearly the point of diversion, place of use, section number, township and range number)
Scale: 2 inches equals 1 mile

SEE ATTACHMENT 2

14. Basis of Claim: Decree

IDWR Water Right Number: 37-639

Court:

Case Number:

Decree Date: December 13, 1909

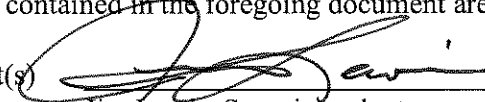
Plaintiff v. Defendant: S.C. Frost et al v. Alturus Water Company, et ux

15. 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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - two

[For organizations] I do solemnly swear or affirm that I am the superintendent of Blaine County School District No. 61, that I have signed the foregoing document in the space below in such capacity on behalf of the District and that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)



Date

10/14/05

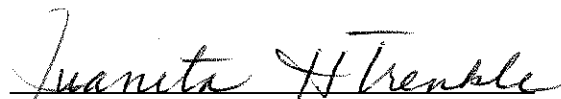
Jim Lewis, Superintendent
Blaine County School District No. 61

State of Idaho)

) ss.

County of Blaine)

Subscribed and sworn before me this 14 day of October, 2005.



Notary Public for Idaho

Residing at Shoshone, ID

Commission Expires 1-16-09

Last Name: Blaine County School District No. 61

FAWPDATA\JM\BCSD\WATER RIGHTS\37-639 Claim.wpd

Ident No. _____

10/14/05

16. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature: _____


James P. Speck, Esq., ISB # 2067
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
Telephone (208) 726-4421
Facsimile (208) 726-0752

Dated this 17th day of October, 2005.

Last Name: Blaine County School District No. 61

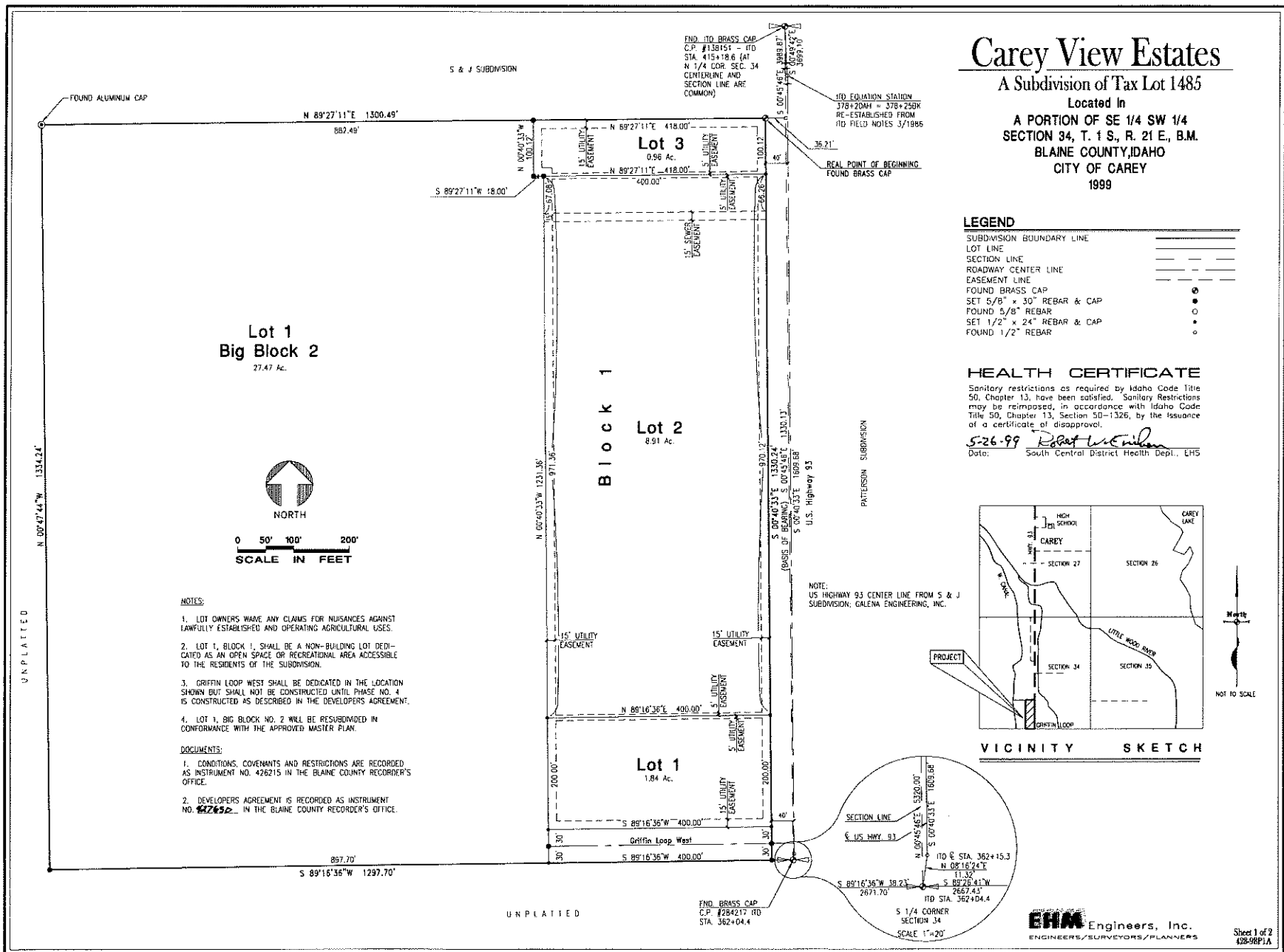
F:\WPDATA\JIM\BCSD\WATER RIGHTS\37-639 Claim.wpd

Ident No. _____

10/14/05

1999

Sheet 1 of 2
428-98P1A



Certificate of Owners

This is to certify that the undersigned are the owners, or representatives of the owners, in fee simple of the following described property located in the SE 1/4 SW 1/4, Section 34, known as Tax Lot 1485, Township 1 South, Range 21 East, Boise Meridian, City of Carey, Blaine County Idaho. Said property being more specifically described as follows:

Commencing at the North 1/4 corner of Section 34, said point lies N 00°45'46"W 5320.00 feet from the South 1/4 corner of Section 34. Thence S 00°45'46"E 3989.87 feet, Thence S 89°27'11"W 36.21 feet to the REAL POINT OF BEGINNING.

Thence, S 00°40'33"E 1330.24 feet,
Thence, S 89°16'36"W 1297.70 feet,
Thence, N 00°47'44"W 1334.24 feet,
Thence, N 89°27'11"E 1300.49 feet, to the REAL POINT OF BEGINNING.

The gross area contained in this platted land as described is 39.73 acres.

It is the intention of the undersigned to and they do hereby include said land in this plat, that the undersigned by these presents dedicate to the public for public use forever all roads as shown on this plat. The easements indicated on this plat are not dedicated to the public but the rights to use said easements are hereby perpetually reserved for public utilities and such other uses as designated on this plat. No structures other than for such utility and other designated public uses are to be erected within the lines of said easements.

Pursuant to Idaho Code 50-1334, I, the undersigned, as Conservator, do hereby state that the lots on this plat are eligible to receive water service from the City of Carey Municipal Water System.

Pursuant to Idaho Code 31-3805, I, the undersigned, as Conservator, do hereby state that the irrigation water rights appurtenant and the assessment obligation of the lands in this plat have been transferred from said lands. Lots within the subdivision will not be entitled to any irrigation water rights and will not be obligated for assessments from any irrigation district and/or irrigation company.

Scott Peck Estate

By: Robb H. Peck Conservator

Acknowledgment

STATE OF IDAHO } ss
COUNTY OF BLAINE }

On this 26 day of May, 1999, before me, a Notary Public, in and for said County and State, personally appeared Robb H. Peck, known or identified to me to be Conservator of Said Estate and acknowledged to me that said Conservator executed the same.

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



Connie Whitworth
Notary Public for Idaho

Carey Idaho
Residing At:

9-14-2000
My commission expires:

Certificate of Surveyor

This is to certify that I, Gary R. Burkett, a Professional Land Surveyor in the State of Idaho, made the survey of land as described in the Certificate of Owner's and that this plat is a true and accurate representation of said survey as made and staked under my supervision and direction.



GRB Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS

City Engineer's Certificate

This is to certify that the undersigned, a Registered Professional Engineer in the State of Idaho has checked the foregoing plat and computations for making the same and has determined that they comply with the laws of the State of Idaho and ordinances of the City of Carey.

City Engineer

FG-210-99

Approval of City Council

Accepted by the City Council of Carey, Idaho, at their meeting on the 5th day of May, 1999.

Robb H. Peck
Mayor BY COBBS PECK

Sharon Luntz
City Clerk

Planning and Zoning Commission Acceptance

The foregoing plat was duly accepted and approved by the City of Carey Planning and Zoning Commission, Blaine County, Idaho, on this 15 day of May, 1999.

at DOK
Chairman

County Engineer's Certificate

This is to certify that the undersigned, a Registered Professional Engineer in the State of Idaho has checked the foregoing plat and computations for making the same and has determined that they comply with the laws of the State of Idaho and the County of Blaine, Idaho related hereto.

Jim W. Kornee
County Engineer 5/26/99

County Treasurer's Certificate

Vicki L. Dick County Treasurer in and for the County of Blaine, Idaho per the requirements of Idaho Code 50-1308, do hereby certify that all county property taxes due for the property included in this plat have been paid in full. This certification is valid for the next thirty days only.

Vicki L. Dick by Hal Peterson
County Treasurer

May 26, 1999
Date:

County Recorder's Certificate

Instrument No. 427674
State of IDAHO } ss
County of BLAINE }

On this 27 day of MAY, 1999, at 9:45 AM, the foregoing plat was filed for record in the office of the Recorder of Blaine County, Idaho and duly recorded in plat book _____ on page _____.

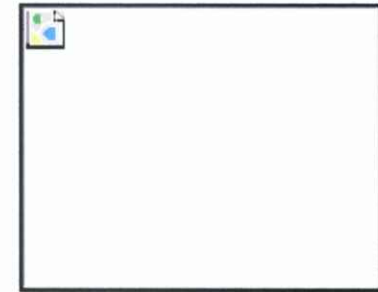
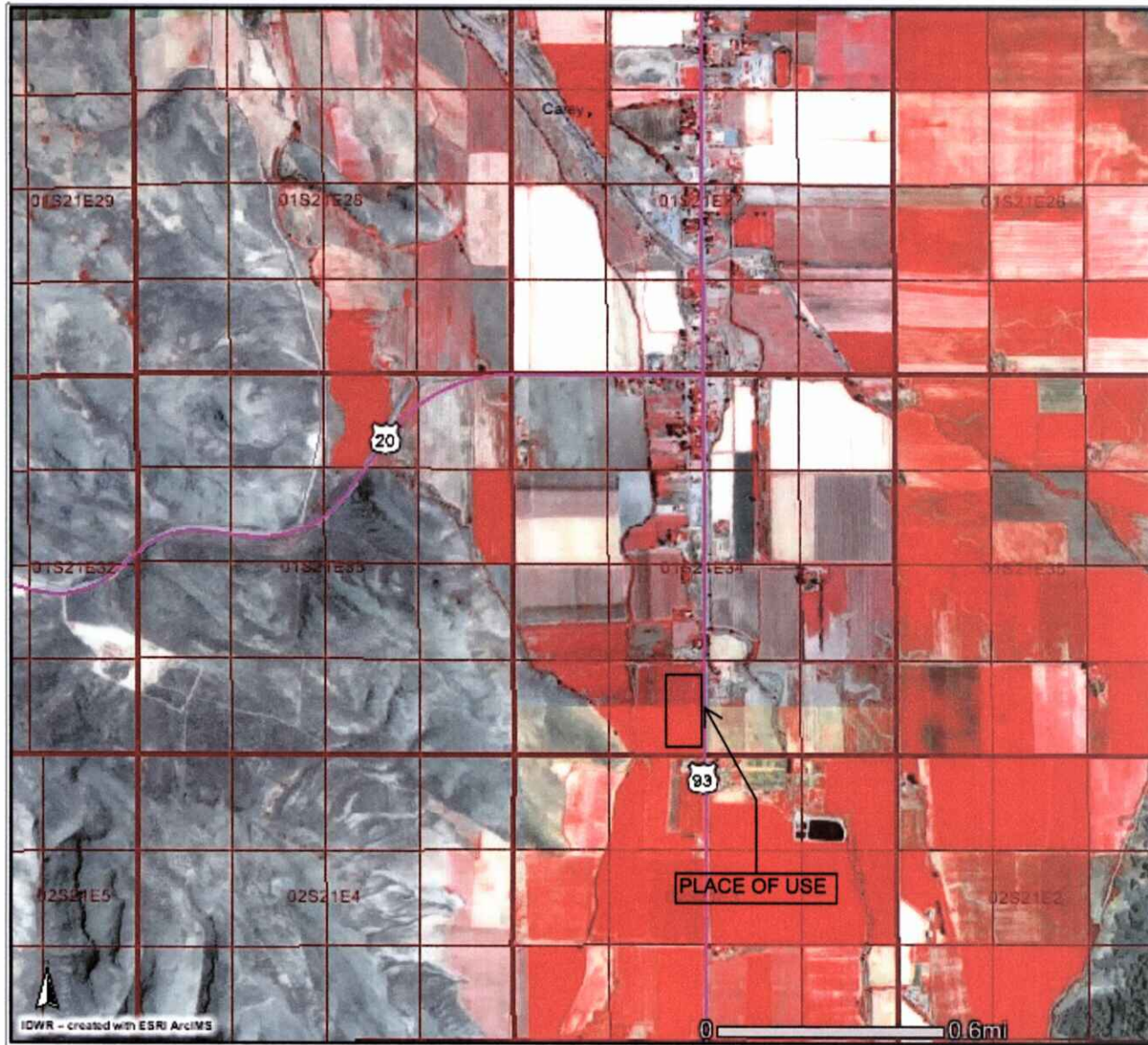
M. Payne
Deputy

Marsha Riemann
Ex-Officio Recorder

Water Resources

Created: October 14, 2005

ATTACHMENT 2



Legend

Major Roads

- Interstate
- U.S. Highway
- State Highway
- Other
- PLS - Section
- PLS - quarter quarter
- Cities
- Counties
- state
- Adjudication Photos



Prepared by the ArcIMS Map Server at:



Idaho Department of Water Resources
322 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098
Ph: (208) 287-4800
www.idwr.idaho.gov

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