



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

RECEIVED

MAR 28 2006

DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 7, 2005

ROD R WOODLAND
JESSIE C WOODLAND
861 WOODLAND LN
WEISER ID USA 83672-5371

Re: Amendment of Snake River Basin Adjudication (SRBA) claim 67-4077 and filing a new SRBA claim

Dear Mr. and Ms. Woodland,

Per our meeting on November 4, 2005, I have prepared an amended claim for 67-4077 (First Creek) and a new claim for the spring water.

67-4077:

Enclosed is the amended claim. After drawing in the place of use (POU) in ArcView, I found that the actual irrigated ground is very close to 33 acres that you originally claimed, I just moved the description of that 33 acres around. Since we did not increase the original acreage claimed, there will be no additional filing fee for amending this claim. I also included 3 points of diversion (POD) based on what you drew in on the map in my office (See attached Map).

Based on our conversation in the office, this claim is meant to describe the historic use of First Creek water on your property dating back to the date that can be supported with Evidence of Priority. We discussed this and you said that you will be sending me an affidavit addressing evidence of priority.

Please look over the claim and initial any changes you wish to make. When satisfied, sign the claim in front of a notary and return it to this office with the evidence of priority we spoke about.

New Claim:

Based on our conversation and my research on the old permit you showed me, it looks like in 1917, Calvin Woodland submitted **Proof of Completion of Works** regarding permit no. 16492 (67-2101). In his proof, he stated that at the time he had completed works to irrigate 2 acres. On June 19, 1971, permit no. 16492 (67-2101) was officially

"Canceled" as Calvin Woodland did not submit **Proof of Beneficial** use. I have enclosed copies of this documentation.

But since we do have a statement that 2 acres were irrigated, I created a claim based on this use and actually filled it out to claim 4 acres because that is what I found that looks irrigatable in that quarter section.

Note that I did not include the pond or all the ground that can now be irrigated by the pond. The reason for this is that you told me the pond was developed in 1978. Development of a new appropriation of surface water occurring after May 20, 1971 requires filing an application for permit. In this case the new appropriation of water would be storing water in a pond to irrigate more acres.

Please look over the new claim and initial any changes you wish to make. When satisfied, sign it in front of a notary and return it to this office with the filing fee of \$54.00. \$50 claim fee and \$1 per acre.

Pond:

Since the claims we are working with now are based on historical use, and do not address the pond and what can be irrigated from it, I encourage you to file a new permit for the pond. I am enclosing a permit application. New permits get filed at the regional office's so I would direct you to submit the completed permit to:

IDWR
Western Region
2735 Airport Way
Boise Id, 83705-5082

Any questions regarding filing a new permit can be addressed at the Western Region office at (208) 334-2190.

What were all the fee's you paid before?

For your information, I looked up the fees you paid before for two reasons. I wanted to see if you had actually filed on the spring and we just couldn't find it, and I felt you should know where your money went. I have attached a copy of the receipt which I made some notes on. I don't have much more information on why things were done the way they were, but it does not appear that you filed on the spring in the SRBA.

Conclusion:

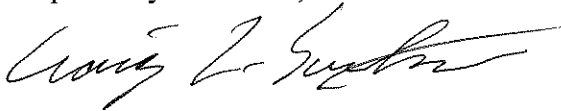
I have covered a lot of stuff in one letter. To sum it briefly:

- 1) Please sign the amended claim once you have made the changes you want to make and return it to me with the evidence of priority ASAP.
- 2) If you want to file on the spring, Please sign the New Claim once you have made the changes you want to make and return it to me with the filing fee of \$54.00
- 3) If you want to file on the use of the pond you need to complete that Application for permit form and submit it to the Western Regional Office of IDWR.

Finally, someone will be contacting you to conduct a field exam and verify the elements of your water right by next spring.

Please feel free to contact me with any questions.

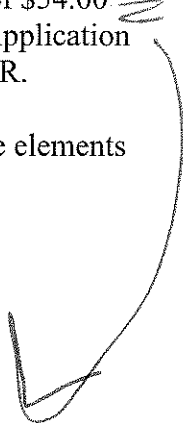
Respectfully submitted,



Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure(s)

enclosed
check for
\$54.00



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 67-4077
Date Received: 10/20/1989
Receipt No: C012424
Received By: *CB*

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Recpt# C080733 AMENDED
RECEIVED

MAR 28 2005

DEPARTMENT OF
WATER RESOURCES

1. Name of Claimant(s)

JESSIE C WOODLAND Phone: (208)880-2605

861 WOODLAND LN
WEISER ID USA 83672-5371

HAZEL WOODLAND Phone: (208)549-2623

RT 2 BOX 49
2288 WEISER RIVER RD
WEISER ID USA 83672

she passed away

ROD R WOODLAND Phone: (208)880-2605

861 WOODLAND LN
WEISER ID USA 83672-5371

2. Date of Priority: 06/01/1900

3. Source: FIRST CREEK , FIRST CREEK , FIRST CREEK Trib. to: WEISER RIVER , WEISER RIVER , WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11N	03W	19	SW SW NE	WASHINGTON	
11N	03W	19	NE SW NE	WASHINGTON	
11N	03W	19	NE NW SW 3	WASHINGTON	

5. Description of diverting works:

FLOOD AND SPRINKLER IRRIGATION. RUN ABOUT 25 SPRINKLERS AT A TIME.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.66	
STOCKWATER	1/01	12/31	0.09	

7. Total Quantity Appropriated is:
0.75 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	03W	19	SW	NE	IRRIGATION	6
			SE	NW	IRRIGATION	1.1
			NE	SW	IRRIGATION	7.7
			NW	SW	IRRIGATION	4.2
			NW	SE	IRRIGATION	14
					Section Acres	33
					Total Acres	33

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

Claim amended to better describe claimed historical irrigated acreage and to better describe the points of diversion (csaxton 11-7-05).

Claim set to temporary status until signed and returned by the claimant.

Part of the claimed POU is now irrigated by spring water with the development of the pond in 1978 (NESE S19).

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 ~~X~~ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: (1)

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):

Gail Woodard
Jessie Woodard

Date:

3-20-06

Date:

3/20/06

State of Idaho)

County of

Washington

) SS.

Subscribed and sworn (or affirmed) before me this

20th

of March 2006

Gary C. Thomas

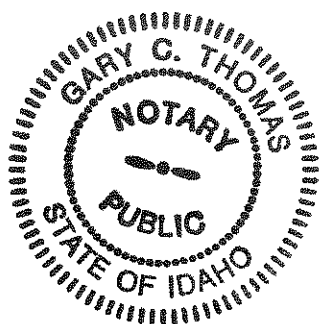
Notary Public

Residing at

Emmett Idaho

My commission Expires

10/22/10



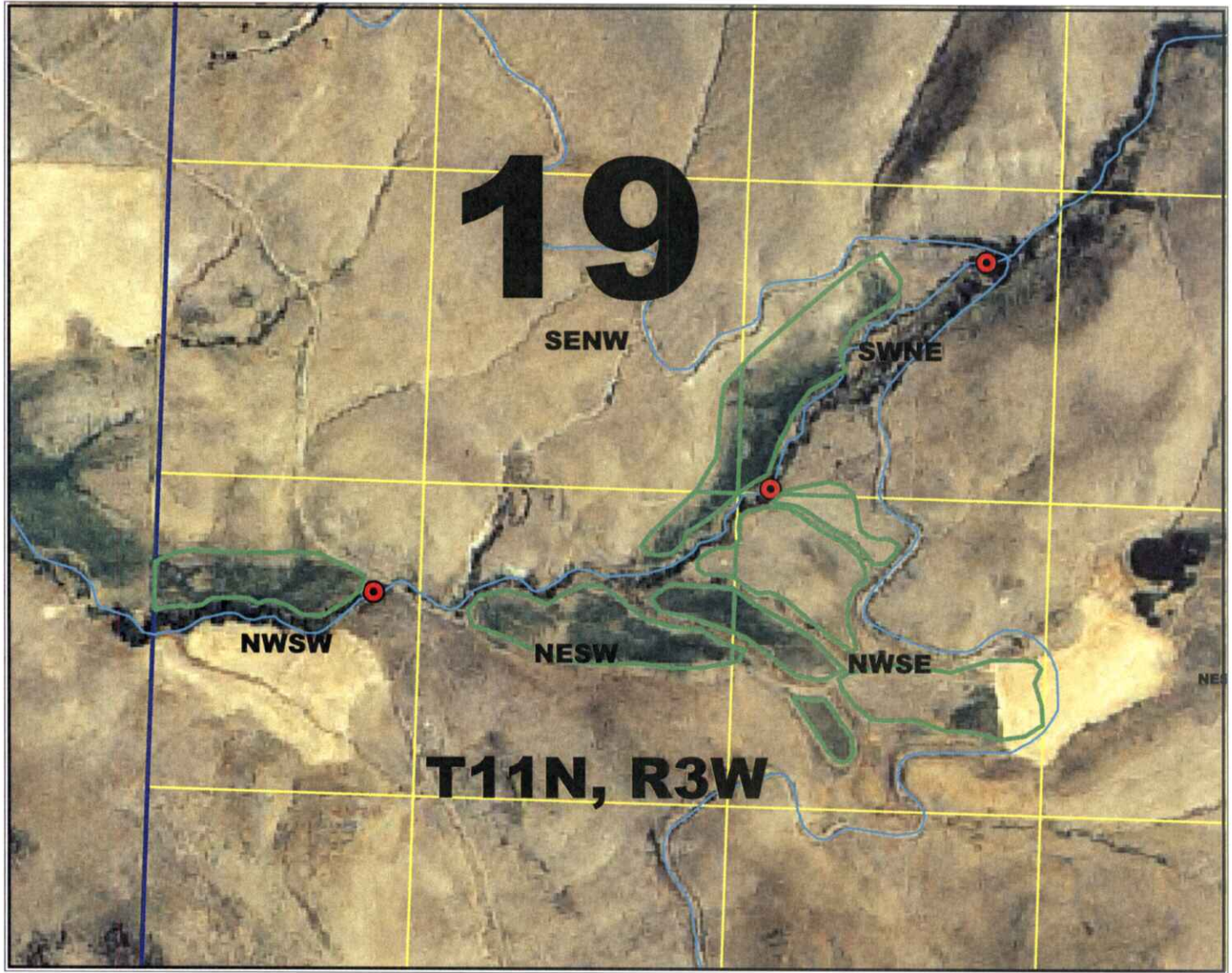


State of Idaho

Reference MaP

Map Source: 1987 NAPP

Claim #(s): 67-4077



1320 0 1320 2640 Feet

● Point of Diversion

□ Claimed Place of Use

□ Tax Lot Data (N/A)

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: 33.0

Initial Acres Found: 33.0



Prepared By: Craig L. Saxton

Date: November 2005