

COPY

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AUG 25 2008
DEPARTMENT OF
WATER RESOURCES

James P. Speck, ISB No. 2067
Speck & Aanestad, A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, Idaho 83340
Telephone: (208) 726-4421
Facsimile: (208) 726-0752

Attorneys for Claimant, Elise G. Lufkin, and Respondents, Barker Living Trust, Chaney Creek Ranch, LLC, Charles L. Matthiesen, Charles T. Foley, Eagle Creek Irrigation Co., ECD, Inc., , Gimlet Property Owners Association, Gregory Ranch, LLC, Lake Creek Meadows Homeowners, Michael E. Willard, Michael S. Engl, Myer Berlow, Ralph W. & Kandi L. Girton, James B. Fleig, Arnold Landau, Richard Dick, Dolores Pritchard, River Rock Ranch, LP, Roy R. Woods, Steven D. Holzman Trust, The Gulch Trust, John D. Pierce and The R. Daniel Olmstead Revocable Trust, and William B. and Debra Gordon

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 Nos. 37-496B and 37-497B
)
Case No. 39576) AFFIDAVIT OF JAMES P. SPECK IN
) SUPPORT OF CLAIMANT'S AND
) RESPONDENTS' SUPPLEMENTAL
) OPPOSITION TO OBJECTORS'
) MOTION TO AMEND OBJECTION

STATE OF IDAHO)
:ss
County of Blaine)

JAMES P. SPECK being first duly sworn upon his oath, declares as follows:

1. I am an attorney with the law firm Speck & Aanestad, a Professional Corporation, the attorneys for the Claimant and the Respondents listed above in the above-captioned subcases.
2. I make this Affidavit based upon my own knowledge and belief concerning the facts stated herein.

3. Attached hereto as Exhibit A is a true and correct copy of the Recommendation for Water Right No. 37-496B filed with this Court in February 2007, as part of the Director's Report for Basin 37 Part 3.

4. Attached hereto as Exhibit B is a true and correct copy of the Recommendation for Water Right No. 37-497B filed with this Court in February 2007, as part of the Director's Report for Basin 37 Part 3.

5. Attached hereto as Exhibit C is a true and correct copy from the Idaho Department of Water Resources ("IDWR") online water rights database of approved Transfer No. 3810.

6. Attached hereto as Exhibit D is a true and correct copy from the IDWR online water rights database Affidavit of Publication of the original application to change the water rights, which are the subject of the present Subcases (the "Water Rights").

7. Attached hereto as Exhibit E is a true and correct copy from the IDWR online water rights database of the Protest to the original Application for Transfer of Water Rights filed by Friends of the Big Wood River.

8. Attached hereto as Exhibit F is a true and correct copy from the IDWR online water rights database of the Withdrawal of Protest filed by Friends of the Big Wood River.

9. Attached hereto as Exhibit G is a true and correct copy from the IDWR online water rights database of the Affidavit of Publication for the Notice of the Amended Application for Transfer of Water Rights.

10. Based upon my diligent review of the IDWR online water rights database I have no knowledge that any person protested the Amended Application for Transfer of Water Rights, requested or obtained any hearing with respect to IDWR administrative proceedings on the transfer

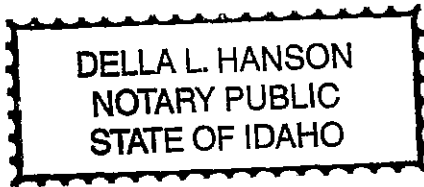
of These Water Rights or sought judicial review of the final decision of IDWR approving the transfer of the Water Rights.

Dated this 22 day of August, 2008.

SPECK & AANESTAD
A Professional Corporation
Attorneys for the Claimant and Respondents

By *J. P. Speck*
James P. Speck

SUBSCRIBED AND SWORN TO before me, a Notary Public in and for the State of Idaho, this 22 day of August, 2008.



Della L. Hanson
NOTARY PUBLIC for Idaho
Residing at: *Hailey*
Comm. Exp.: *8/26/2010*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22 of August, 2008, the foregoing was filed, served, or copied as follows:

ORIGINAL FILED

Clerk of the District Court	<input checked="" type="checkbox"/>	United States Mail
Snake River Basin Adjudication	<input type="checkbox"/>	Hand Delivery
253 Third Avenue North	<input type="checkbox"/>	Overnight
PO Box 2707	<input type="checkbox"/>	Facsimile
Twin Falls, ID 83303-2707	<input type="checkbox"/>	Email

SERVICE

IDWR Document Depository	<input checked="" type="checkbox"/>	United States Mail
PO Box 83720	<input type="checkbox"/>	Hand Delivery
Boise, ID 83720-0098	<input type="checkbox"/>	Overnight

	<input type="checkbox"/>	Facsimile
	<input type="checkbox"/>	Email

Chief, Natural Resources Division	<input checked="" type="checkbox"/>	United States Mail
Office of the Attorney General	<input type="checkbox"/>	Hand Delivery
State of Idaho	<input type="checkbox"/>	Overnight
PO Box 44449	<input type="checkbox"/>	Facsimile
Boise, ID 83711-4449	<input type="checkbox"/>	Email

United States Department of Justice	<input checked="" type="checkbox"/>	United States Mail
Environment & Natural Resource Division	<input type="checkbox"/>	Hand Delivery
550 West Fort Street, MSC 033	<input type="checkbox"/>	Overnight
Boise, ID 83724	<input type="checkbox"/>	Facsimile
	<input type="checkbox"/>	Email

Albert P. Barker	<input type="checkbox"/>	United States Mail
John K. Simpson	<input type="checkbox"/>	Hand Delivery
Shelley M. Davis	<input type="checkbox"/>	Overnight
Barker, Rosholt & Simpson, LLP	<input checked="" type="checkbox"/>	Facsimile
P.O. Box 2139	<input type="checkbox"/>	Email
Boise, ID 83701		

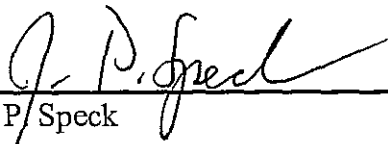
	<input type="checkbox"/>	United States Mail
Craig Hobdey	<input type="checkbox"/>	Hand Delivery
Hobdey & Hobdey	<input type="checkbox"/>	Overnight
P.O. Box 176	<input checked="" type="checkbox"/>	Facsimile
Gooding, ID 83330	<input type="checkbox"/>	Email

Fritz Haemmerle
Haemmerle & Haemmerle PLLC
400 S. Main St., Suite 102
P.O. Box 1800
Hailey, ID 83333

- United States Mail
- Hand Delivery
- Overnight
- Facsimile
- Email

Scott L. Campbell
Andrew J. Waldera
Dylan B. Lawrence
101 S. Capitol Blvd. 10th Floor
P.O. Box 829
Boise, ID 83701

- United States Mail
- Hand Delivery
- Overnight
- Facsimile
- Email



James P. Speck

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

RIGHT NUMBER: 37-496B

NAME AND ADDRESS: ELISE G LUFKIN
PO BOX 1854
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.500 CFS

The total combined annual consumptive volume of water diverted under Right No's 37-00496B & 37-00497B as authorized by transfer No. 3810 shall not exceed 2.5 acre-feet per acre or a total of 75 acre-feet.

PRIORITY DATE: 07/01/1883

POINT OF DIVERSION: T03N R18E S19 NENE Within BLAINE County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FIRE PROTECTION	04/01 11/01	0.900 CFS
IRRIGATION	04/01 11/01	0.600 CFS
AESTHETIC	04/01 11/01	0.900 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S19 NENE 20.00 T03N R18E S19 SENE 10.00

FIRE PROTECTION in BLAINE County

T03N R18E S19 SENE

AESTHETIC in BLAINE County

T03N R18E S19 SENE

30 ACRES TOTAL

Right Nos. 37-496B and 37-497B are limited to the irrigation of a combined total of 30.0 acres in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Use of water under this water right will be regulated by the watermaster of State Water District No.37.

Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of discharge to the Big Wood River.

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

RIGHT NUMBER: 37-497B

NAME AND ADDRESS: ELISE G LUFKIN
PO BOX 1854
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.750 CFS

The total combined annual consumptive volume of water diverted under Right Nos. 37-00496B and 37-00497B shall not exceed 2.5 acre-feet per acre or a total of 75 acre-feet.

PRIORITY DATE: 07/01/1892

POINT OF DIVERSION: T03N R18E S19 NENE Within BLAINE County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.300 CFS
AESTHETIC	04/01 11/01	0.450 CFS
FIRE PROTECTION	04/01 11/01	0.450 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S19 NENE 20.00 T03N R18E S19 SENE 10.00

FIRE PROTECTION in BLAINE County

T03N R18E S19 SENE

AESTHETIC in BLAINE County

T03N R18E S19 SENE

30 ACRES TOTAL

Right Nos. 37-496B and 37-497B are limited to the irrigation of a combined total of 30.0 acres in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Measuring devices of a type accepted by this Department shall be maintained at the point of diversion and point of discharge to the Big Wood River.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3810

AMENDED
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant ELISE G. LUFKIN Phone (208) 726-4421
Post Office address C/O JAMES P. SPECK, ESQ., HOGUE, SPECK & AANESTAD, P.O. BOX 987, KETCHUM
ID 83340

A. PURPOSE OF TRANSFER

1. Change point of diversion Add diversion point(s) Change place of use
 Change nature of use Change period of use Other _____
2. Describe the reason for the proposed changes APPLICANT PURCHASED PORTIONS OF PURCHASED WATER RIGHTS AND DESIRES TO USE THEM ON HER LANDS. THIS REQUIRES A NEW POINT OF DIVERSION AND CHANGE OF THE PLACE OF USE. APPLICANT ALSO DESIRES TO USE THESE WATERS FOR DOMESTIC FIRE PROTECTION.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE * AMENDED PER LETTER OF Jim Speck of 8-16-91 JGL 8-27-91

1. Right Number	Priority	Amount * (cfs/ac-ft)	* Nature of Use	Period of Use
<u>37-00496 B</u>	<u>7/1/1883</u>	<u>0.60</u> 1.41 CFS	<u>IRRIGATION</u>	<u>APRIL 1 to NOV 1</u>
<u>37-00497 B</u>	<u>7/1/1892</u>	<u>0.30</u> 0.705 CFS	<u>IRRIGATION</u>	<u>APRIL 1 to NOV 1</u>
<u>37-00496 B</u>	<u>7/1/1883</u>	<u>0.70</u> 1.41 CFS	<u>AESTHETICS & FIRE PROTECTION</u>	<u>APRIL 1 to NOV 1</u>
<u>37-00497 B</u>	<u>7/1/1892</u>	<u>0.45</u> 0.705 CFS	<u>AESTHETICS & FIRE PROTECTION</u>	<u>APRIL 1 to NOV 1</u>

2. Total amount of water being transferred 2.25
~~2.105~~ cubic feet per second and/or _____ acre-feet per annum.
3. Source of water BIG WOOD RIVER tributary to MALAD RIVER
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NN	NE	NE	19	3N	18E	BLAINE	NONE

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	19	20																30
3N	18E	19																	

EXHIBIT C
EXHIBIT C

PART 1

6. General Information:

a. Description of diversion system Pump in river to open ditch to storage pond to sprinkler system. Pump for storage pond through pipeline to single family residence for emergency fire protection purposes.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
It will no longer be irrigated. It is a residential subdivision.

d. Remarks:

Although not listed in the Frost Decree, land in the NE1/4NW1/4 Sec. 20 that is west of Hwy. 75 has always been part of this farm (3 irrigated acres total). Old deeds confirm that these lands were part of this farm.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0496 & 37-0497

And said application is hereby APPROVED, subject to the following limitations and conditions:
See attached sheet for conditions of approval.

Witness my hand this 28th day of October, 1991

A. Glen Saylor
Chief, Water Allocation Bureau

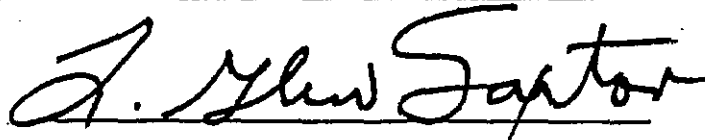
ATTACHMENT
CONDITIONS OF APPROVAL

Transfer of Water Right Nos. 37-0496 & 37-0497

Transfer No. 3810

1. Use of water under this water right is subject to control by the watermaster of State Water District No. 37, Big Wood River.
2. The total combined annual consumptive volume of water diverted under Right Nos. 37-0496 & 37-0497 as authorized by this transfer shall not exceed 2.5 acre-feet per acre or a total of 75 acre-feet.
3. Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of discharge to the Big Wood River.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion. Access must be provided for the watermaster to both the point of diversion and point of return.
5. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 28th day of October, 1991.



L. GLEN SAXTON
Chief, Water Allocation Bureau

AFFIDAVIT of PUBLICATION

State of Idaho, }
 County of Blaine } SS.

RECORDED

APR 22 1991

Department of Water Resources
 Courthouse Reg. Office

DANIEL J. O'NEILL

being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 6 day of Feb, 1991, and

the date of the last publication was on the 13 day of Mar, 1991.

Daniel J. O'Neill

Subscribed and sworn to before me this 14th day of Mar, 1991.
 (SEAL)

Rahuta Becker

NOTARY PUBLIC

#7556

WOOD RIVER JOURNAL
 Hailey, Idaho

OCT 26 1992

COST OF PUBLICATION

Number of Picas per Line	_____	11
Number of Lines in Notice	_____	103.5
Number of Insertions	_____	
Lines tabular at	_____	6c / Pica
Lines straight at	<u>56.93</u>	5c / Pica
Subsequent lines at	<u>45.54</u>	4c / Pica
TOTAL COST	<u>\$107.97</u>	<u>5.00 FEE</u>

COPY OF NOTICE
 (Paste Here)

Change of Water
 TITLE OF NOTICE

#37-0496 - #37-0497
 PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
TA Dept Water
 BILL TO

Lufkin seeks water right change

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NOS. 37-0496, 37-0497

Notice is hereby given that ELISE G. LUFKIN, C/O JAMES P. SPECK of KETCHUM, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water right No. 37-00496
 Basis of right: Decreed to Thomas Mizer in case of S.C. Frost, et al., vs. Alturas Water Company, et ux, dated 12/13/1909 in Fourth District Court, Lincoln County.
 Source: Big Wood River tributary to Malad River
 Priority Date: 7/1/1883
 Amount of water: 4.0 cfs
 Water use: irrigation
 Point(s) of diversion: SE1/4NE1/4-NE1/4, S18, T3N, R18E (Mizer #20 Headgate); Blaine County.
 Place of use: 40 acres within NW1/4, NE1/4SW1/4, NW1/4-SE1/4, S20, T3N, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED
 Water right No.: 37-00496
 Amount of water: 1.5 cfs
 Point of diversion: SE1/4NE1/4-NE1/4, S18, T3N, R18E (Mizer #20 Headgate); Blaine County.
 Place of use: 15 acres within NW1/4, S20, T3N, R18E.

WATER RIGHT AS RECORDED
 Water right No. 37-00497
 Basis of right: Decreed to Thomas Mizer in case of S.C. Frost, et al., vs. Alturas Water Company, et ux, dated 12/13/1909 in Fourth District Court, Lincoln County.
 Source: Big Wood River tributary to Malad River
 Priority date: 7/1/1892
 Amount of water: 2.0 cfs
 Water use: irrigation
 Point(s) of diversion: SE1/4NE1/4-NE1/4, S18, T3N, R18E (Mizer #20 Headgate); Blaine County.
 Place of use: 40 acres within NW1/4, NE1/4SW1/4, NW1/4-SE1/4, S20, T3N, R18E.

WATER RIGHT AS RECORDED
 Water right No. 37-00497
 Basis of right: Decreed to Thomas Mizer in case of S.C. Frost, et al., vs. Alturas Water Company, et ux, dated 12/13/1909 in Fourth District Court, Lincoln County.
 Source: Big Wood River tributary to Malad River
 Priority date: 7/1/1892
 Amount of water: 2.0 cfs
 Water use: irrigation
 Point(s) of diversion: SE1/4NE1/4-NE1/4, S18, T3N, R18E (Mizer #20 Headgate); Blaine County.
 Place of use: 40 acres within NW1/4, NE1/4SW1/4, NW1/4-SE1/4, S20, T3N, R18E.

3-18-91

Idaho Dept. of Water Resources
222 Shoshone St. E.
Twin Falls, Idaho 83301

RECEIVED
MAR 22 1991

Department of Water Resources



FRIENDS OF THE
BIG WOOD RIVER

Re: Water right change
Nos. 37-0496 & 37-0497
Elise G. Lufkin, C/O James Speck
Ketchum, Idaho 83340

Please accept this as the Friends of The Big Wood River's protest of above mentioned transfer. It is our understanding that this water is being purchased from Starweather.

The Friends have no problems with most transfers but in those cases the party selling the water must "dry -up" the equivalent piece of land. Transfers that do not do this , we feel are incorrect and place a further drain on the overall water system. Whether it be surface or ground water.

The only way that the Friends can ask the dry-up question is to submit a protest of the above transfer.

We feel that this type of situation is not in the public interest and is contrary to conservation of water resources within the state of Idaho.

Thank You,

Donny [Signature]
Board of Directors
Friends of The Big Wood River

MICROFILMED

OCT 26 1992

P.S. It is not our intention to be antagonistic BUT to help protect this finite resource, which we feel is linked to the over all water table, water quality and water system.

POST OFFICE BOX 4411 • KETCHUM, IDAHO 83340

EXHIBIT E

If you have any questions , please
feel free to contact us .

cc Lufkin
Spackman



FRIENDS OF THE
BIG WOOD RIVER

MICROFILMED

OCT 26 1992

POST OFFICE BOX 4411 • KETCHUM, IDAHO 83340

EXHIBIT E

4-18-91

IDAHO DEPT. OF WATER RESOURCES
222 SHOSHONE ST. E.
TWIN FALLS, IDAHO 83301

RECEIVED
APR 22 1991

Department of Water Resources



FRIENDS OF THE
BIG WOOD RIVER

RE: WATER RIGHT CHANGE
NOS. 37-0496 & 37-0497
ELISE LUFKIN, C/O JAMES SPECK
KETCHUM, IDAHO 83340

The Friends of The Big Wood River withdraw our protest of
3-18-91 against above water right transfers.

Thank You,

Doug

Doug Brearey
Vice-President
Friends of The Big Wood River

cc Lufkin
Speck
Spackman
File

MICROFILMED
OCT 26 1992

POST OFFICE BOX 4411 • KETCHUM, IDAHO 83340

EXHIBIT F

AFFIDAVIT of PUBLICATION

RECEIVED
OCT 10 1991

State of Idaho, }
County of Blaine } ss.

Department of Water Resources

DANIEL J. GORHAM

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 4 day of Sept. 1991, and

the date of the last publication was on the 11 day of Sept. 1991.

Daniel J. Gorham

Subscribed and sworn to before me this 11 day of Sept. 1991.
(SEAL):

Valuta McKee

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

RECORDED

COST OF PUBLICATION

OCT 26 1992

Number of Picas per Line _____
Number of Lines in Notice 63
Number of Insertions _____
_____ Lines tabular at _____ 6c / Pica
63 Lines straight at 34.65 5c / Pica
63 Subsequent lines at 27.72 4c / Pica
TOTAL COST 67.37 5.00

COPY OF NOTICE
(Paste Here)

Lufkin / Amended
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Bo. Dept of Water
BILL TO

Lufkin seeks water right change

NOTICE OF AMENDED APPLICATION FOR PROPOSED WATER RIGHT CHANGE

Notice is hereby given that Elise G. Lufkin, c/o James P. Speck, Ketchum, ID, filed a change of water right application on August 27, 1990, proposing to change the point of diversion, place of use and nature of use for a portion of water right nos. 37-00496 and 37-00497, and has now amended said application as follows:

WATER RIGHT AS RECORDED:

Water Right No. 37-00496
Source: Big Wood River
Priority Date: 7/1/1883
Amount of Water: 4.0 cfs
Use: Irrigation

Point of Diversion: SENENE, S18, T3N, R18E (Mizer #20 headgate); Blaine County

Place of Use: NW1/4, NESW, NWSE, S20, T3N, R18E

Water Right No. 37-00497

Source: Big Wood River

Priority date: 7/1/1892

Amount of water: 2.0 cfs

Water use: Irrigation

Point of Diversion: SENENE, S18, T3N, R18E (Mizer #20 headgate)

Place of use: NW1/4, NESW, NWSE, S20, T3N, R18E

TO BE CHANGED AS FOLLOWS:

Water Right No. 37-00496

Amount and Use: 0.60 cfs for Irrigation and 0.90 cfs for Aesthetics and Fire Protection

Water Right No. 37-00497

Amount and Use: 0.75 cfs for Irrigation, Aesthetics and Fire Protection

Point of Diversion: NENE, S19, T3N, R18E

Place of Use: 30 acres in NENE, SENE, S19, T3N, R18E

Source: Big Wood River tribut. to Melad River

Total amount being transferred: 2.25 cfs

Point of Diversion: NENE, S19, T3N, R18E

Place of Use: 30 acres in NENE, SENE, S19, T3N, R18E

Source: Big Wood River tribut. to Melad River

Protest against the approval of the proposed amended transfer must be filed with the Department of Water Resources, 1301 N. Orchard, Boise, ID 83706, on or before September 23, 1991.

Publish: Wood River Journal

OK Tjo
10-15-