

NOTICE OF ERROR
REPLY

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: December 8, 2006

Water right number: 67-716

DAVID WOODCOCK
1621 MONROE CREEK RD
WEISER ID 83672
Telephone Number: (208)550-1548

CAROLINE WHITAKER WOODCOCK
1621 MONROE CREEK
WEISER ID 83672
Telephone Number: (208)550-1548

RECEIVED
DEC 08 2006
DEPARTMENT OF
WATER RESOURCES

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:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE:

12/5/06

SIGNATURE:

David Woodcock
David Woodcock

Please print your name:

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC 11 2006

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 67-716
Date Received: 10/12/1989
Receipt No: M004930
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CAROLINE WHITAKER WOODCOCK Phone: (208)550-1548

1621 MONROE CREEK
WEISER ID USA 83672

DAVID WOODCOCK Phone: (208)550-1548

1621 MONROE CREEK ROAD
WEISER ID USA 83672

2. Date of Priority: 04/01/1880

3. Source: UNNAMED STREAM Trib. to: MONROE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12N	05W	15	NE SW NE	WASHINGTON	

5. Description of diverting works:

UNN.STRM.FLOWS INTO MONROE CK.FLOW IS THEN PUMPED FROM CREEK.

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	3/15 11/15	0.44	99

7. Total Quantity Appropriated is:
0.44 C.F.S. and/or 99 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12N	05W	15	NW	SE	IRRIGATION	9
			SW	NE	IRRIGATION	3
			SE	SW	IRRIGATION	2
			SW	SE	IRRIGATION	2
					Section Acres	16
12N	05W	22	NE	NW	IRRIGATION	6
					Section Acres	6
					Total Acres	22

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:

Ownership changed by DH 7/22/2002

CHANGE OF ADDRESS 10/12/04

FILING IS BASED UPON ATTACHED DECREE COPY. CLAIMANT NOW OWNS BOTH RANCHES INVOLVED IN THE DECREE WHICH SPLIT THE ENTIRE WATERS OF MONROE CREEK EQUALLY. TO DATE THERE HAS BEEN NO OTHER FILING ON RECORD SUBSTANTIATING ANY RIGHTS PRIOR TO OR EQUAL TO THIS RIGHT. AFFIDAVIT FROM DON DANIELS IS ATTACHED REGARDING HOW THESE RIGHTS HAVE BEEN HISTORICALLY USED.

15. Basis of Claim: Decreed



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

October 12, 2004

David Woodcock
Caroline Whitaker Woodcock
1621 Monroe Creek
Weiser, ID 83672

Re: Notice of Claim to a Water Right No. 67-636, 67-714, 67-715, 67-716, 67-14346

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflects your change in address.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you again for your patience and cooperation. If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG:lg

Enclosure

RECEIVED

OCT 06 2004

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department
of a change in address for Department records
(Please print or type)

67-634
67-714
67-715
67-716
67-14346

[] Name(s):

Caroline Whitaker Woodcock

David Lloyd Woodcock

[] Old Mailing Address:

6202 Smithson Road

Ellensburg, Wa. 98926

[] New Mailing Address:

1621 Monroe Creek Road

Weiser, Idaho 83672

Telephone Number:

(208) 550 - 1548

[] Signature(s)
(must be signed by all
individuals listed unless
you have authority to sign
on their behalf)

Caroline Whitaker Woodcock
David Lloyd Woodcock

(include your title if on behalf of company or organization)

Date:

10/2/04

When complete, please mail or FAX this form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
FAX: (208) 769-1454

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
FAX: (208) 334-2348

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
FAX: (208) 525-7177

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
FAX: (208) 736-3037



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

October 12, 2004

David Woodcock
Caroline Whitaker Woodcock
1621 Monroe Creek
Weiser, ID 83672

Re: Notice of Claim to a Water Right No. 67-636, 67-714, 67-715, 67-716, 67-14346

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflects your change in address.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you again for your patience and cooperation. If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Liberty Gagnon
Office Specialist I
Adjudication Section
Western Region Office

LG:lg

Enclosure

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 67-716
Date Received: 10/12/1989
Receipt No: M004930
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DAVID WOODCOCK
4261 ROBBINS RD
ELLENSBURG WA USA 98926

Phone: (509) 962-9680

CAROLINE WHITAKER WOODCOCK
4261 ROBBINS RD
ELLENSBURG WA USA 98926

Phone: (509) 962-9680

2. Date of Priority: 04/01/1880

3. Source: UNNAMED STREAM Trib. to: MONROE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
12N	05W	15	NE	SW	NE	WASHINGTON	

5. Description of diverting works:

UNN.STRM.FLOWS INTO MONROE CK.FLOW IS THEN PUMPED FROM CREEK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.44	99

7. Total Quantity Appropriated is:

0.44 C.F.S. and/or 99 A.F.A.

8. Total consumptive use:

SCANNED
APR 07 2004

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12N	05W	15	NW	SE	IRRIGATION	9
			SW	NE	IRRIGATION	3
			SE	SW	IRRIGATION	2
			SW	SE	IRRIGATION	2
					Section Acres	16
12N	05W	22	NE	NW	IRRIGATION	6
					Section Acres	6
					Total Acres	22

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:

Ownership changed by DH 7/22/2002

FILING IS BASED UPON ATTACHED DECREE COPY. CLAIMANT NOW OWNS BOTH RANCHES INVOLVED IN THE DECREE WHICH SPLIT THE ENTIRE WATERS OF MONROE CREEK EQUALLY. TO DATE THERE HAS BEEN NO OTHER FILING ON RECORD SUBSTANTIATING ANY RIGHTS PRIOR TO OR EQUAL TO THIS RIGHT. AFFADAVIT FROM DON DANIELS IS ATTACHED REGARDING HOW THESE RIGHTS HAVE BEEN HISTORICALLY USED.

15. Basis of Claim: Decreed

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

RECEIVED**JUN 21 2002****WATER RESOURCES
WESTERN REGION**

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 (under the "split" heading), 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
67-636			67-11575		✓
67-714					
67-715					
67-716					
67-10553 #25-					

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) is 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)

Sharon Driessen

4. New Owner/Claimant(s)

5353 Ellens Ferry, Boise, Idaho 83703
Caroline Whitaker-Woodcock and/or David Woodcock

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

New Mailing Address

4261 Robbins Rd.

City, State and ZIP Code

Ellensburg, Wa. 98926

New Telephone Number

(509) 962-9680

5. Date you acquired the property

8/20/01

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 67-11575

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 0.040 CFS — 12N 05W 10 Range ground

~~Domestic~~ _____

cows vary

Other _____

Total 0.040 CFS

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)

Caroline Whitaker Woodward and/or
David L. Woodward

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 <u>DH</u>	Date <u>6/21/02</u>	Fee <u>\$25 - 67-10553</u>
Received by <u>DH</u>	Date <u>6-21-02</u>	Receipt No. <u>W029356</u>
Processed by _____	AJ Date _____	WR _____ Date _____

WARRANTY DEED

For Value Received

SHARON K. DRIESSEN, a single person

does hereby **GRANT, BARGAIN, SELL AND CONVEY** unto

DAVID L. WOODCOCK AND CAROLINE WHITAKER-WOODCOCK, husband and wife

whose current address is 4261 ROBBINS ROAD, ELLENSBURG, WA 98926

the following described premises, to-wit:

IN WASHINGTON COUNTY, IDAHO:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO:

Grantor and Grantee agree to jointly operate and maintain existing irrigation ditch and diversion from Monroe Creek.

No buildings will be allowed within 100 feet of the West side of the easterly boundary of the above described parcel in Sec. 11, no building will overlook sellers remaining parcel to the East in Sec. 11, nor will buildings be allowed within 50 feet of the East side of the easterly boundary of said parcel in Sec. 11.

Grantor conveys an easement for the exclusive operation and maintenance of an irrigation pumping station located in Section 14 and the delivery system along east side of Monroe Creek Road. Grantor reserves a 60 foot wide road easement along the west side of said pump house, said easement is for the proposed realignment of Monroe Creek Road.

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantees, their heirs and assigns forever. And the said grantor does hereby covenant to and with the said grantees that she is the owner in fee simple of said premises; that they are free from all encumbrances, excepting reservations, easements, encumbrances, restrictions and rights of way appearing of record and/or existing and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: AUGUST , 2001

SHARON K. DRIESSEN

STATE OF IDAHO, COUNTY OF WASHINGTON

On this _____ day of AUGUST, 2001, before me, a notary public in and for the said State, personally appeared

SHARON K. DRIESSEN

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Notary Public
Residing at Weiser, Idaho
Comm. Expires 11/4/2003

EXHIBIT "A"

FILE NO.: 100-01-8180

IN TOWNSHIP 12 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

- SECTION 10: E1/2, NE1/4NW1/4;
 SECTION 15: NE1/4, E1/2SW1/4, and all that portion of the SE1/4 lying Westerly of Monroe Creek Road;
 SECTION 22: All that portion of the NE1/4/NW1/4 and N1/2NE1/4 lying westerly of Monroe Creek Road.
 SECTION 11: Beginning at the Southwest corner of Sec. 11;
 thence Easterly and Northerly along the center line of Monroe Creek Road a distance of 1813 feet, more or less;
 thence North 24.5 feet, more or less, to monument #1 on the north right of way of Monroe Creek Road;
 thence Northerly 1060 feet, more or less, to monument #2;
 thence Northerly 276 feet, more or less, to monument #3;
 thence Northerly 984.5 feet, more or less, to monument #4;
 thence Northerly 884.5 feet, more or less, to monument #5;
 thence Northerly 1302 feet, more or less, to monument #6;
 thence Northerly 241 feet, more or less, to monument #7 on the North line of said Section 11;
 thence West 523 feet, more or less, along the North line to the Northwest corner of said Section 11;
 thence South along the West line of said Section 11 to the Point of Beginning.

S.H. NWNW } W 1/2 NW 1/4
 SWNW
 NESW } SW 1/4
 NWSW
 SWSW
 SESW

Topographic map showing contour lines and elevation points. The map includes a survey boundary outlined in purple and a green dashed rectangle. Handwritten notes and markings are present:

- Top Left:** T12N, R5W, H2O, #716, Source, place of use, To Accompany Photo.
- Map Features:**
 - Contour lines with elevations: 2600, 2800, 3000, 3200, 3400.
 - Elevation points: 3253T, 3234T, 3196T, 3054T, 3070T, 2888T, 2891T, 2826T, 2933AT, 2789T, 2671AT, 3206T, 3073T, 3070T, 2820T, 2922T.
 - Yellow shaded areas.
 - Green dashed rectangle with numbers 15, 9, 15, 2, 2, 6 inside.
 - Purple dots and circles.
 - Red dashed lines.
 - Blue lines representing water features.
 - Black lines representing roads or trails.
- Right Side:** CREEK, R5W, Boon Run.

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: A67-00716
Date Received: 10/04/1989
Receipt No: 1004930
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHARON K. DRIESSEN 208-549-3113
Address: 1564 MONROE CREEK ROAD
WEISER, ID 83672
2. Date of Priority: APR 01, 1880
3. Source: UNNAMED STREAM Trib. to: MONROE CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|------------|
| 12N | 05W | 15 | NE | SW | NE | | WASHINGTON |
5. Description of diverting works:
UNN.STRM.FLOWS INTO MONROE CK.FLOW IS THEN PUMPED FROM CREEK.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.440 | | 99.00 |
7. Total Quantity Appropriated is:
0.440 C.F.S. (and/or) 99.00 A.F.A.
8. Total consumptive use is 66.0 Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12N	05W	15	SW	NE		IRR	3.0
			SE	SW		IRR	2.0
			NW	SE		IRR	9.0

A67-00716

Page 1

Date: 10/04/89

MICROFILMED

OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	05W	15	SW	SE		IRR	2.0 ✓
					Section Acres		16.0
		22	NE	NW		IRR	6.0 ✓
					Section Acres		6.0
					Total Acres		22.0

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:
67-00636, 67-00714, & 67-00715

14. Remarks:

FILING IS BASED UPON ATTACHED DECREE COPY. CLAIMANT NOW OWNS BOTH RANCHES INVOLVED IN THE DECREE WHICH SPLIT THE ENTIRE WATERS OF MONROE CREEK EQUALLY. TO DATE THERE HAS BEEN NO OTHER FILING ON RECORD SUBSTANTIATING ANY RIGHTS PRIOR TO OR EQUAL TO THIS RIGHT. AFFADAVIT FROM DON DANIELS IS ATTACHED REGARDING HOW THESE RIGHTS HAVE BEEN HISTORICALLY USED.

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date:

MONROE CREEK IRRIGATION DISTRI
Decree Plaintiff

vs

DON DICKERSON, 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: 8

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): Sharon K. Riessen Date: 10/12/89
_____ Date: _____

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of Oct 19 89

Bruce A. Schuld
Notary Public

Residing at BRUCE A. SCHULD, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO
My Commission Expires MY COMMISSION EXPIRES APRIL 11, 1995

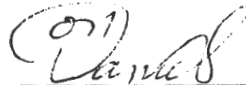
AFFIDAVIT OF WATER USE

Dated this 3rd day of Oct., 1989

I, Don Daniels, previously owned the property that now belongs to Sharon Driessen. During the entire time that I was in possession of that property, from 11/64 to 2/77, I blocked off all of Monroe Creek, before it left my property and I used the water for irrigation. I did this in accordance with the Decreed Water Right that is filed and dated March 16, 1903.

According to the Decree attached, I had use of "all" of the water in Monroe Creek, and as did the owners prior to me, I blocked the water off and used it all.

There is not enough water in Monroe Creek to satisfy all of the Affidavits that were submitted when the Water Resource Board came in and started to adjudicate. The only Decreed water right on that end of the Creek takes precedence over any Affidavit submitted and it is my belief that because of the attached Decree, all of the water legally belongs to what is now the Sharon Driessen property.



Don D Daniels

MICROFILMED

OCT 01 1992

DISTRICT OF THE STATE OF IDAHO, IN AND FOR WASHINGTON COUNTY.

Mark Parker

Plaintiff

-vs-

Elizabeth D. Yardley, Administra-
trix of the Estate of Thomas
D. Yardley, deceased.

Defendant.

Judgment by the Court.

See 412X-1 for land desc.

This cause came on regularly for trial on the 11th day of March, 1903, Lot L. Feltham appearing as Counsel for the Plaintiff and Frank Harris, appearing as Counsel for the Defendant.

Whereupon witnesses on the part of the Plaintiff and Defendant were duly sworn and examined and the evidence being closed the cause was submitted to the Court for consideration and decision and after due deliberation thereon, findings of fact and conclusions of law being waived by the ~~respective~~ respective parties orally in open Court, the Court orders that Judgment be entered herein that the waters flowing in Monroe Creek at the point where the Yardley Ditch taps the same shall be divided equally between the Plaintiff and the defendant and each party shall pay his own costs.

Wherefore, by reason of the law and the premises aforesaid, it is ordered, adjudged and decreed that the plaintiff and defendant shall each be entitled to and shall receive one half of the flow of water in Monroe Creek, in Washington County, State of Idaho, at the point on said Creek where the ditch leading to the Thomas L. Yardley farm taps said Monroe Creek and said water flow shall at said point be ^{divided} ~~divided~~ equally between the parties in this case by suitable appliance, the plaintiff receiving his share to be again turned into said Monroe Creek and the Defendant receiving her share in her said ditch, and that each party shall pay all costs by him incurred in this case.

Judgment rendered this 16th day of March, 1903.

Geo. H. Stewart,
Judge.

Filed March 16th, 1903.

Frank E. Smith, Clerk.

Book "B" Page 245.

MICROFILMED

OCT 01 1992

Notice is hereby given that I the undersigned citizen of the United States have this day Located and taken up a water right of four hundred inches under a four inch pressure and to be taken out at a certain point on Monroe Creek Just above the foot of the grade where Harri Palmer and Perine is hawling wood from being on the east side of said Monroe Creek or left hand bank to be conveyed in a ditch a distance of two miles and to be used for Irrigation purposes this 31st day of Decem 1883

Thomas L Yardley

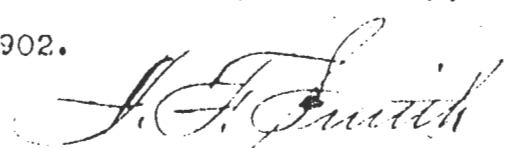
Recorded at the request of T L Yardley December 31st A D 1883

I. M. Hart
Recorder.

STATE OF IDAHO, |
County of Washington. | ss.

I, I. F. Smith, Ex-officio Recorder
in and for the County of Washington, in the State of Idaho, and as such the custodian of the records of said county, do hereby certify that the annexed and foregoing is a full, true and correct copy of the record of the claim of water right of T. L. Yardley dated the 31st. day of December 1883 and filed for record on that day, as the same appears in Book one of Water Rights, at Page 95, Records of said County.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said office, at Weiser, the seat of said County, this 2nd. day of August, A. D. 1902.


Ex-officio County Recorder.

MICROFILMED

OCT 01 1992

DITCH NOTICE

To all whom it may concern

Notice is hereby given that I Mark Parker of Washington County Idaho Territory do Record the following water right said water ditch to be taken out of Monroe Creek about one half mile above the old Shaw or Verbeck place on Said creek with a capacity of One hundred inches said ditch will be about ~~onexwix~~ and one half feet on the bottom and one foot in depth

Weiser City Idaho Sept 11th 1883

Mark Parker

Recorded at the request of M Parker Sept 11th 1883 at 3 o'clock P.M

I. M. Hart

Recorder.

STATE OF IDAHO,
County of Washington. ss.

I, I. F. Smith, Ex-officio Recorder in and for the County of Washington, in the State of Idaho, and as such the ~~xxx~~ custodian of the records of said county, do hereby certify that the above and foregoing is a full, true and correct copy of the record of the water claim of Mark Parker, dated the and filed for record Sept. 11th A. D. 1883, as the same appears in Book one of Water Rights, at Page 84, of the records of said County.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said office, at Weiser, the seat of said County, this second day of August, A. D. 1902.

I. F. Smith
Ex-officio County Recorder.

MICROFILMED
OCT 01 1992



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

July 22, 2002

DAVID WOODCOCK
CAROLINE WHITAKER-WOODCOCK
4261 ROBBINS RD
ELLENSBURG WA 98926

Re: Original Notice of Claim to a Water Right No. 67-11575

Renumbered Notice of Claim to a Water Right No. 67-14346

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim.

Please note, the ownership has also been changed on claim numbers 67-636, 67-714, 67-715 and 67-716, and copies are enclosed for your records.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

Enclosure

SCANNED
APR 07 2004

Caroline Whitaker- Woodcock
David Woodcock
4261 Robbins Rd.
Ellensburg, Wa. 98926
509 - 962 - 9680
6/19/02

RECEIVED

JUN 21 2002

WATER RESOURCES
WESTERN REGION

Adjudication Staff
IDWR Western Region
Boise, Idaho 83075
208 - 334 - 2190

Greetings.

Enclosed please find what I believe is needed to file a "Change in Water Right Ownership ". This pertains to the six (6) water rights mentioned on Form 42 - 248.

Included are:

1. Form 42 - 248: Notice of Change in Water Right Ownership,
2. the Warranty Deed pertaining to the property,
3. the description (Exhibit A) pertaining to the deed,
4. a map outlining in bold green the areas described in 'Exhibit A' ,
5. A USDA Farm Service Agency Aerial Photo pertaining to rights 67 - 636 and 67 - 716,
6. USGS map copies pertaining to all 6 water rights, and
7. a check for \$25 to cover the ownership change for 67 - 10553.

If this is not complete, we can be reached at the above phone number .
Thanks much.

Sincerely,



Woody Woodcock

509- 962 - 9680

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-716 V1

WATER RIGHT NUMBER: 67-716 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SHARON K DRIESSEN 5353 ELLENS FERRY BOISE, ID 83703 (208)331-0627
Current Owner	DAVID WOODCOCK 1621 MONROE CREEK RD WEISER, ID 83672 (208)550-1548
Current Owner	CAROLINE WHITAKER WOODCOCK 1621 MONROE CREEK WEISER, ID 83672 (208)550-1548

Priority Date: 04/01/1880

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	MONROE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.440 CFS	99.00 AF
	<u>Total Diversion:</u>	0.440 CFS	99.00 AF

Location of Point(s) of Diversion

UNNAMED STREAM	NE1/4SW1/4NE1/4	Sec. 15, Twp 12N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	05W	15			3.0									2.0		9.0	2.0		16.0
12N	05W	22					6.0												6.0

Total Acres: 22

Conditions of Approval:

1. C18 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-716 V1

Remarks:Comments:

1. mcase 6/14/2004 POD
Comment: Updated shape
2. mcase 6/16/2004 Period of Use
Comment: Decreed Period of use is longer than standard Season of Use.
3. mcase 6/16/2004 POU
Comment: POU generated from PLS description because the claim map does not show distinct boundaries.
4. dnarsavage 4/28/2006 POU
Comment: The claim claims this POU as it was decreed, but neither the claimant's map nor any aerial imagery available to me show cultivated ground that matches the acreages described in the decree. I assume that there was once a ditch that delivered this water, and that it was removed between 1979 (decree date) and 1987 (earliest imagery date), and that more ground was put under cultivation at or after that point in time. I recommended a shape that fit the decree and the model described above as well as I could.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	6/16/2004 2:47:30 PM	mcase			Active
POD	6/16/2004 3:03:56 PM	mcase			Active
Source	6/16/2004 3:04:04 PM	mcase			Active
Use	6/16/2004 3:04:17 PM	mcase			Active
Season	6/16/2004 3:05:33 PM	mcase			Active
Quantity	6/16/2004 3:06:33 PM	mcase			Active
POU	6/16/2004 3:07:00 PM	mcase			Active
Priority Date	4/28/2006 2:49:16 PM	dnarsavage			Active
POD	4/28/2006 2:49:33 PM	dnarsavage			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-716 V1

Source	4/28/2006 3:04:47 PM	dnarsavage	Active
POU	4/28/2006 3:24:16 PM	dnarsavage	Active
Use	4/28/2006 3:25:03 PM	dnarsavage	Active
Season	4/28/2006 3:25:28 PM	dnarsavage	Active
Quantity	4/28/2006 3:26:16 PM	dnarsavage	Active
Summary	04/28/2006	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	6/16/2004 3:03:59 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	6/16/2004 3:04:08 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	6/16/2004 3:07:03 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
POU	6/16/2004 3:10:18 PM	mcase	Created polygon from PLS
Priority Date	6/16/2004 2:47:33 PM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Use	6/16/2004 3:04:21 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-716 V1

Season	6/16/2004 3:05:36 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
Quantity	6/16/2004 3:06:36 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? Description for Question 10 - Decreed diversion of 99 AF.
POD	4/28/2006 2:49:34 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
General	4/28/2006 2:49:17 PM	dnarsavage	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	4/28/2006 3:24:17 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (No) 8. Can the claim be verified as an accomplished transfer? (Yes) 9. Does the claim include an enlargement in the POU? (No) 10. Was an enlargement claim filed? (No) 11. Did the claimant file an enlargement claim? Description for Question 9 - Description for Question 13 - True

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-716 V1

POU	4/28/2006 3:24:44 PM	dnarsavage	Updated shape for Active POU
Use	4/28/2006 3:25:03 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	4/28/2006 3:25:29 PM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	4/28/2006 3:26:17 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - Decreed volume is equal to current requirements
Source	4/28/2006 3:04:48 PM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-716 V1

Summary	4/28/2006 3:27:26 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
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Water Supply Bank:



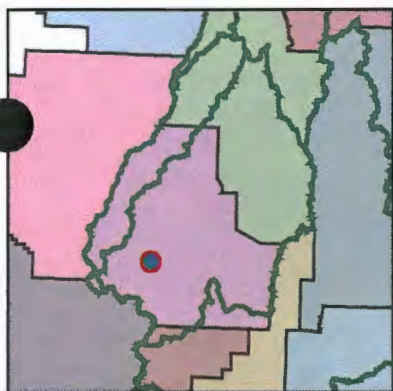
Idaho Department of Water Resources

SRBA Recommendation:

67-716

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



0 0.4 0.8 Miles

Prepared by D. Narsavage
On Friday, April 28, 2006
1987/88 Aerial Photography

67-716

