

02/11/2008

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

RIGHT NUMBER: 67-14702

NAME AND ADDRESS: AGUA CALIENTE LLC
ATTN KATHLEEN A SKIBA COMPTROLLER
730 17TH ST STE 820
DENVER CO 80202

SOURCE: SPRING TRIBUTARY: FIRST CREEK

QUANTITY: 0.170 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/13/1917

POINT OF
DIVERSION: T11N R03W S20 SWNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.080 CFS
STOCKWATER	01/01 12/31	0.090 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T11N R03W S19 NESE 4.00

STOCKWATER same as IRRIGATION

4 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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 - Beneficial Use

Stockwater use is for 120 range cattle and 8 horses.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14702 V1

WATER RIGHT NUMBER: 67-14702 V1

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	JESSIE C WOODLAND 861 WOODLAND LN WEISER, ID 83672-5371 (208)880-2605
Directors Report Owner	ROD R WOODLAND 861 WOODLAND LN WEISER, ID 83672-5371 (208)880-2605
Attorney	HOLLAND & HART LINDA B JONES PO BOX 2527 BOISE, ID 83701-2527 (208)342-5000
Current Owner	AGUA CALIENTE LLC ATTN KATHLEEN A SKIBA COMPTROLLER 730 17TH ST STE 820 DENVER, CO 80202 (303) 298-9000

Priority Date: 06/13/1917

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	FIRST CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.080 CFS	
STOCKWATER	01/01 to 12/31	0.090 CFS	
	<u>Total Diversion:</u>	0.170 CFS	

Location of Point(s) of Diversion

SPRING	SW1/4NW1/4	Sec. 20, Twp 11N, Rge 03W, 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	
11N 03W 19													4.0				4.0

Total Acres: 4

STOCKWATER same as IRRIGATION

01/23/2008

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

RIGHT NUMBER: 67-14702

NAME AND ADDRESS: AGUA CALIENTE LLC
ATTN W POWELL
C/O AMG TRUST BANK
6501 E BELLEVIEW AVE STE 400
ENGLEWOOD CO 80111-6020

SOURCE: SPRING TRIBUTARY: FIRST CREEK

QUANTITY: 0.170 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/13/1917

POINT OF
DIVERSION: T11N R03W S20 SWNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.080 CFS
STOCKWATER	01/01 12/31	0.090 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T11N R03W S19 NESE 4.00

STOCKWATER same as IRRIGATION

4 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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 - Beneficial Use

Stockwater use is for 120 range cattle and 8 horses.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 22, 2008

HOLLAND & HART
PO BOX 2527
BOISE ID 83701-2527

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim #67-666A, 67-4077 and 67-14702
Your Client: Agua Caliente, LLC

The water right claims referenced above are still pending in the SRBA; therefore, no fees are due to do an ownership change. The refund process has been initiated with the State Auditor's Office for the \$75.00 fee you paid on receipt #W036066. You should receive a check in the near future.

For future reference, you can determine if a water right claim has been decreed by checking the SRBA Court's site at www.srba.state.id.us. Scroll to IWATRS Reports, then scroll down to Display a Subcase Summary Sheet, enter the adjudication claim number (xx-xxxxx). This will tell you if and when a partial decree was issued. If it HAS been decreed, there is a \$25.00 ownership change fee due with each water right. If it has NOT been reported or decreed yet, and is therefore still pending in the SRBA, there is no fee due.

Sincerely,

Carter L. Fritschle
Section Manager
Adjudication Bureau

CLF:ss:ref

SCANNED

JAN 22 2008

REFUND REQUEST

TO: S. Sherman to Log In
 FOR: C. Fritschle/D. Allen
 FROM: S. Sherman per MVB Date: 1-22-08
 SUBJ: Receipt No. W036066 (Please attach ARQ2 Receipt copy immediately behind blue form)

RE: PayOR Holland & Hart
 Address PO Box 2527
Boise ID 83701-2527

Claimant(s) if NOT Payor Agua Caliente LLC

Refund Amount \$ 75.- Claim Location (Region/Claimant)

Extension Filed? Y/N NA Copy Attached? Y/N NA

Late Fees Paid? Y/N NA Late Fee Receipt # -

S.O. Verified Ext. by - on - D.B. Query by -

Refund Generated By (✓ Agent MVB) () Claimant

Refund Category:
 insufficient fees / claim incomplete / withdrawn / o-pmt

Date of Last Correspondence (copy attached) 1-4-08

Claim No.	Use*	Fees	Correct	Rec't #
		Paid	Fee	
<u>67-6366A</u>	<u>81</u>	<u>\$25</u>	<u>0</u>	<u>W036066</u>
<u>67-4077</u>	<u>81, 84</u>	<u>\$25</u>	<u>0</u>	<u>"</u>
<u>67-14702</u>	<u>81, 84</u>	<u>\$25</u>	<u>0</u>	<u>"</u>
		\$		
		\$		
Total		\$	\$	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N
Rights not deeded yet.

Region AJ Spvsr. Approval - S.O. AJ Spvsr. Approval -
 C. Fritschle Approval C. Fritschle Hold - To Fiscal 1-23-08
 Logged 1-22-08
 Data Base Modified? Y/N NA A &/or R Records By - on -

11/14/2006

NOTICE OF ERROR
REPLY

RECEIVED
DEC 13 2006
DEPARTMENT OF
WATER RESOURCES

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: 67-14702

JESSIE C WOODLAND
861 WOODLAND LN
WEISER ID 83672-5371
Telephone Number: (208)880-2605

ROD R WOODLAND
861 WOODLAND LN
WEISER ID 83672-5371
Telephone Number: (208)880-2605

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:

12/07/06

SIGNATURE:

Rod R. Woodland

Please print your name:

Rod R. Woodland

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

SCANNED
DEC 13 2006

04/26/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-14702

NAME AND ADDRESS: JESSIE C WOODLAND
861 WOODLAND LN
WEISER ID 83672-5371

ROD R WOODLAND
861 WOODLAND LN
WEISER ID 83672-5371

SOURCE: SPRING

TRIBUTARY: FIRST CREEK

QUANTITY: 0.170 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/13/1917

POINT OF DIVERSION:

T11N R03W S20 SWNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.080 CFS
STOCKWATER	01/01 12/31	0.090 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T11N R03W S19 NESE 4.00

STOCKWATER same as IRRIGATION

4 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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 - Beneficial Use

Stockwater use is for 120 range cattle and 8 horses.



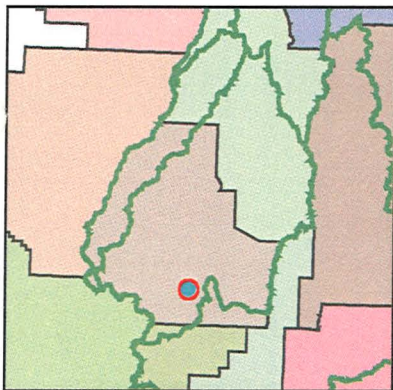
Idaho Department of Water Resources

SRBA Recommendation:

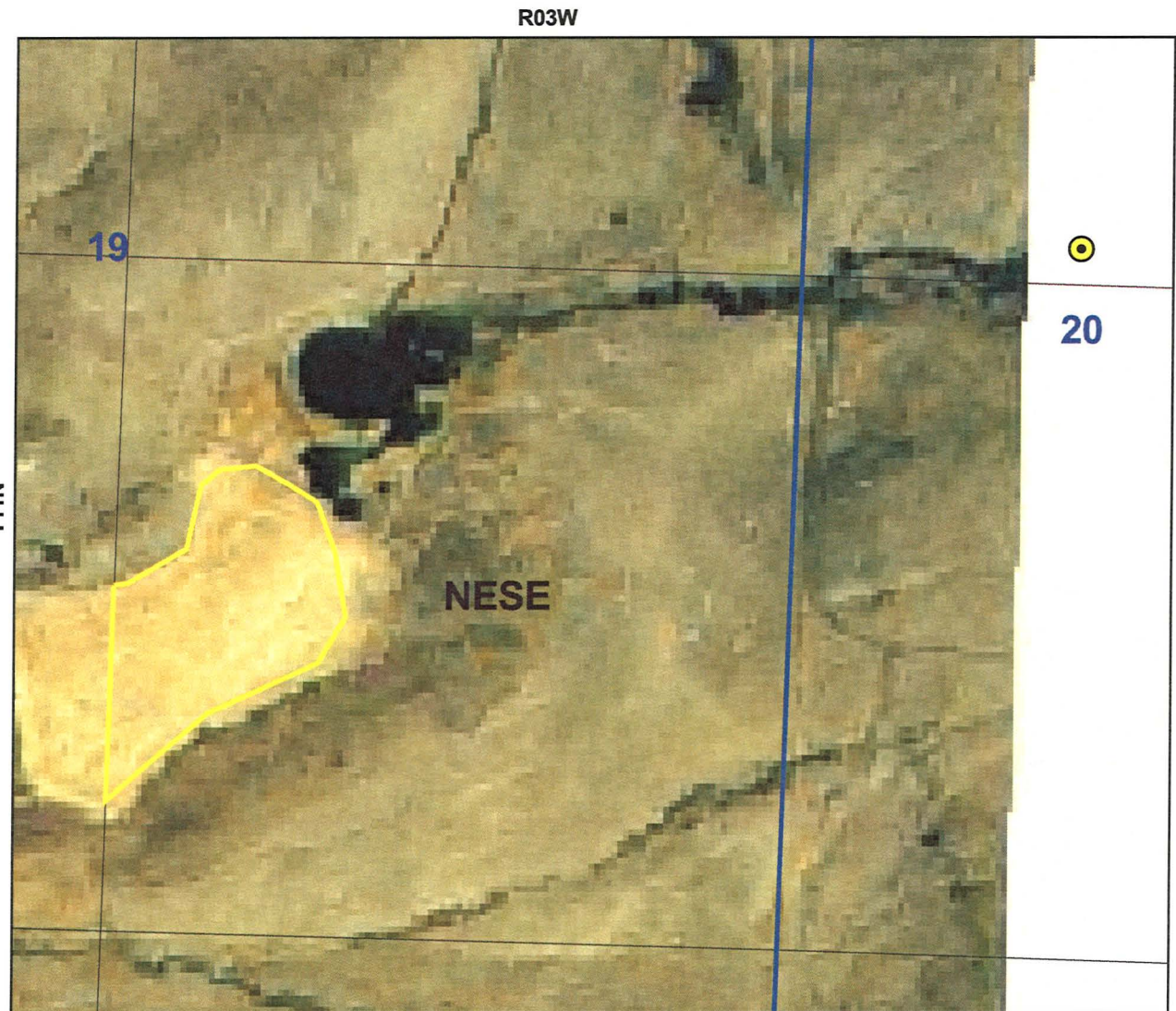
67-14702

Legend

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



Washington County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by C. Saxton
On Wednesday, April 26, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14702 V1

WATER RIGHT NUMBER: 67-14702 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JESSIE C WOODLAND 861 WOODLAND LN WEISER, ID 83672-5371 (208)880-2605
Current Owner	ROD R WOODLAND 861 WOODLAND LN WEISER, ID 83672-5371 (208)880-2605

Priority Date: 06/13/1917

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	FIRST CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.080 CFS	
STOCKWATER	01/01 to 12/31	0.090 CFS	
	<u>Total Diversion:</u>	0.170 CFS	

Location of Point(s) of Diversion

SPRING	SW1/4NW1/4	Sec. 20, Twp 11N, Rge 03W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
11N 03W 19	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	4.0
					4.0

Total Acres: 4

STOCKWATER same as IRRIGATIONConditions of Approval:

1. X02 Stockwater use is for 120 range cattle and 8 horses.
2. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
3. 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.
4. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14702 V1

Remarks:Comments:

1. csaxton 4/26/2006 Historical v Current system

Comment: The current irrigation system is different than what I am recommending under this claim. As of 1978, the spring water has been collected in a pond and then re-diverted to irrigate. A permit needs to be filed for this water use. I have spoke with the claimant about this.

2. csaxton 4/26/2006 Priority date

Comment: This claim is based from the proof of completion of works submitted for permit 67-2101. 67-2101 was cancelled for failure to submit proof of beneficial use. However, the completion of works supports the claimants argument that the spring was used to some extent before the pond was built in 1978. Recommend priority date of the date the proof of completion of works was signed.

3. csaxton 4/26/2006 Copied form Claim

Comment: This claim is meant to claim water use under permit 67-2101 (16492). Completion of works submitted june 13, 1917 lists 2 acres of irrigation (csaxton 11-7-05).

More ground is now irrigated from the pond supplied by the springs, but since the pond was put in place in 1978 (NESE), a new permit will need to be filed for that use.

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:
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>
Contacts	4/26/2006 2:42:56 PM	csaxton			Active
Priority Date	4/26/2006 2:43:56 PM	csaxton			Active
POD	4/26/2006 2:45:21 PM	csaxton			Active
Source	4/26/2006 2:47:09 PM	csaxton			Active
POU	4/26/2006 2:47:59 PM	csaxton			Active
Use	4/26/2006 2:48:21 PM	csaxton			Active
Season	4/26/2006 2:52:42 PM	csaxton			Active
Quantity	4/26/2006 2:56:21 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14702 V1

Summary

04/26/2006

csaxton

Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	4/26/2006 2:45:57 PM	csaxton	Updated shape
Source	4/26/2006 2:47:09 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field Exam by Monica Van Bussum on 4-19-06. I met with claimant in the office on 3-28-06 as well.
POU	4/26/2006 2:47:59 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Meeting with claimant on 3-28-06, aerial photography, and lapsed permit records.
Use	4/26/2006 2:48:21 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field Exam by Monica Van Bussum on 4-19-06.
POU	4/26/2006 2:54:56 PM	csaxton	Updated shape for Active POU
POU	4/26/2006 2:55:11 PM	csaxton	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14702 V1

Quantity	4/26/2006 2:56:21 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Recommendation for 0.20 cfs or less do not require measurement.
Contacts	4/26/2006 2:42:56 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam by Monica Van Bussum on 4-19-06.
General	4/26/2006 2:43:56 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - This claim is based from the proof of completion of works submitted for permit 67-2101. 67-2101 was cancelled for failure to submit proof of beneficial use. However, the completion of works supports the claimants argument that the spring was used to some extent before the pond was built in 1978. Recommend priority date of the date the proof of completion of works was signed.
POD	4/26/2006 2:46:11 PM	csaxton	Updated PLS
Season	4/26/2006 2:52:43 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14702 V1

Summary	4/26/2006 3:04:44 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 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?
POD	4/26/2006 2:45:21 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

Water Supply Bank:

Priority Date Data Entry Form

Claim Number 67-14702

Claimed Priority Date: 6/13/1917

Claimed Basis: Beneficial Use

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

No EOP needed per Craig 4-12-06

Reviewer: MVBDate: 4-19-06

Point of Diversion and Source Data Entry Form

Claim Number 67-14702

Claimed Point of Diversion and Source

T11N R03W S20 SWNW Within WASHINGTON County Source: SPRING FIRST CREEK

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Tw	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified: — did not GPS pond

overflow into First Creek
Springs from hills to E & NE - feed pond - put
PTD pump in pond - 100 hp tractor

This entire property is irrigated using the 100hp tractor & 1 PTD pump. There are three chunks of property, as seen on the layout in 67-4077. Part is irrigated from the pond. Part is irrigated from the POD in NWSW and part from the POD on border of SWNE/NWSE. He only has 40 sprinklers & moves those around, as well.

Reviewer: MVP

Date: 4-18-06

Marked pond POD on the map.

GPS points off of First Creek are in 67-4077.



Woodland pond POD. Top picture shows exact location of POD just behind rowboat. Lower picture looks upstream where numerous springs are. Springs feed the pond and are located throughout the draw seen in the left background of the lower picture.

Place Of Use Data Entry Form

Claim Number 67-14702

Claimed Place Of Use

T11N R03W S19 NESE 4.00

Total Acres

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

See layout in 67-4077.
Imagery* FE confirm irrigation.

Reviewer:

MVB

Date:

4-19-06

Purpose of Use Data Entry Form

Claim Number 67-14702

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			
STOCKWATER			

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
-----------	-----------------	-----------------	------------

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation				
Stock		8 horses 120 cows		

Document how the Purpose of Use was verified:

Imagery & FE confirm purpose of use.

Reviewer: MVBDate: 4-19-06

Period of Use and Quantity Data Entry Form

Claim Number 67-14702

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	04/01	10/31	0.08	
STOCKWATER	01/01	12/31	0.09	
Overall Diversion Rate 0.17		Overall Diversion Volume		

Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Overall Diversion Rate		Overall Diversion Volume		

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Recommend IDWR standard SOL.

100 hp tractor & 1 PTO pump. See
notes under Point of Diversion & Source.

10ft+ lift all PODs

Reviewer: MVB

Date: 4-19-06

Contacts Data Entry Form**Claim Number: 67-14702**

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	JESSIE C WOODLAND	861 WOODLAND LN	WEISER	ID	83672-537	(208)880-2605
					1	
Current Owner	ROD R WOODLAND	861 WOODLAND LN	WEISER	ID	83672-537	(208)880-2605
					1	

Date of Field Exam: 4-19-06 Time: 9amAccompanied By: Rod Phone Number: 880-2605Relationship to Claimant: claimant

Directions to Property (if different from above) and/or update owner information:

Reviewer: MVBDate: 4-19-06

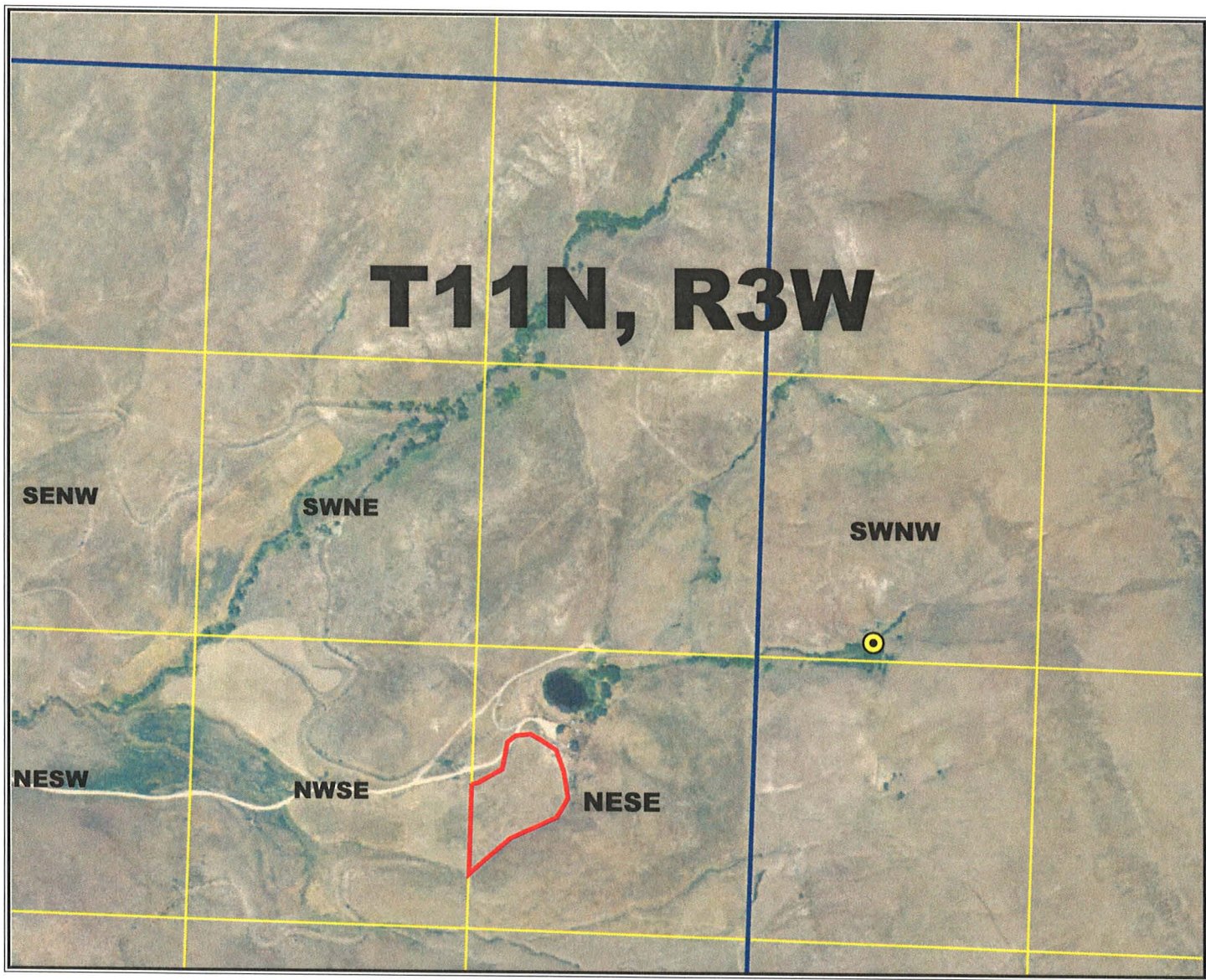


State of Idaho

Reference Map

67-10702

Woodland



1320

0

1320 Feet



Point(s) of Diversion



POU N/A



Claimed Place of Use



Tax Lot Data



Quarter Quarter Lines



Section Lines

Total Irrigated Acres =



Prepared By: Craig L. Saxton

Date: April 2006

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

IN THE MATTER OF CANCELLATION OF PERMIT)
TO APPROPRIATE THE PUBLIC WATERS OF THE)
STATE OF IDAHO NO. 11321/67-2101)
IN THE NAME OF Calvin Woodland)

ORDER OF CANCELLATION

WHEREAS, the permit holder has failed to submit proof of beneficial use
of water due on June 19, 1918 ; and,

WHEREAS, on May 10, 1971, notice was sent to the holder of said
permit to appear before the Director of the Department of Water Administration
on or before June 19, 1971, to show cause why said permit should not be
cancelled; and,

WHEREAS, the holder of said permit has failed to comply with the require-
ments of said permit and has not shown adequate cause why such permit should not
be cancelled;

IT IS THEREFORE ORDERED and Permit 11321/67-2101 is hereby CANCELLED.

Dated this 16 day of August, 19 71.


R. KEITH HIGGINSON
Director

67-2101

Permit No. 113

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Washington

SS.

Calvin Woodland

being first duly sworn upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 11321 and that his postoffice address is Weiser
State of Idaho

Second: That the name of the stream from which said water is to be diverted is Spring.

Third: That the point of diversion of said water is SE 1/4 Sec 20, T 11 N, R 3 W,

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 19th 1917

Fifth: That the use for which said water is intended is Irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were ~~xxx~~ fully completed and consisted of the following:

I. Kind of works: Ditch

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit ditch width at bottom One feet, width at water

(State whether ditch, flume or pipe)

line 1 1/2 feet, depth of water 1 in. ~~xxx~~ diameter of pipe inches; average grade per mile is 50 feet. Length of conduit is 1 miles.

Seventh: That said works are capable of conducting to the place of intended use One second feet of water.

Eighth: That water appropriated under said permit is available for 2 acres of land described as follows: SE 1/4 Sec 19, T 11 N, R 3 W, B.W.

Ninth: Remarks: That the terms of the permit called for a pipe to be used in connection with the ditch described, which I was compelled to abandon on account of not being able to secure the material until later this year, which I will do later, and use in the water system. This delay does not interfere with the use of the water as the ditch is continuous from the spring to the land irrigated.

(Sign here)

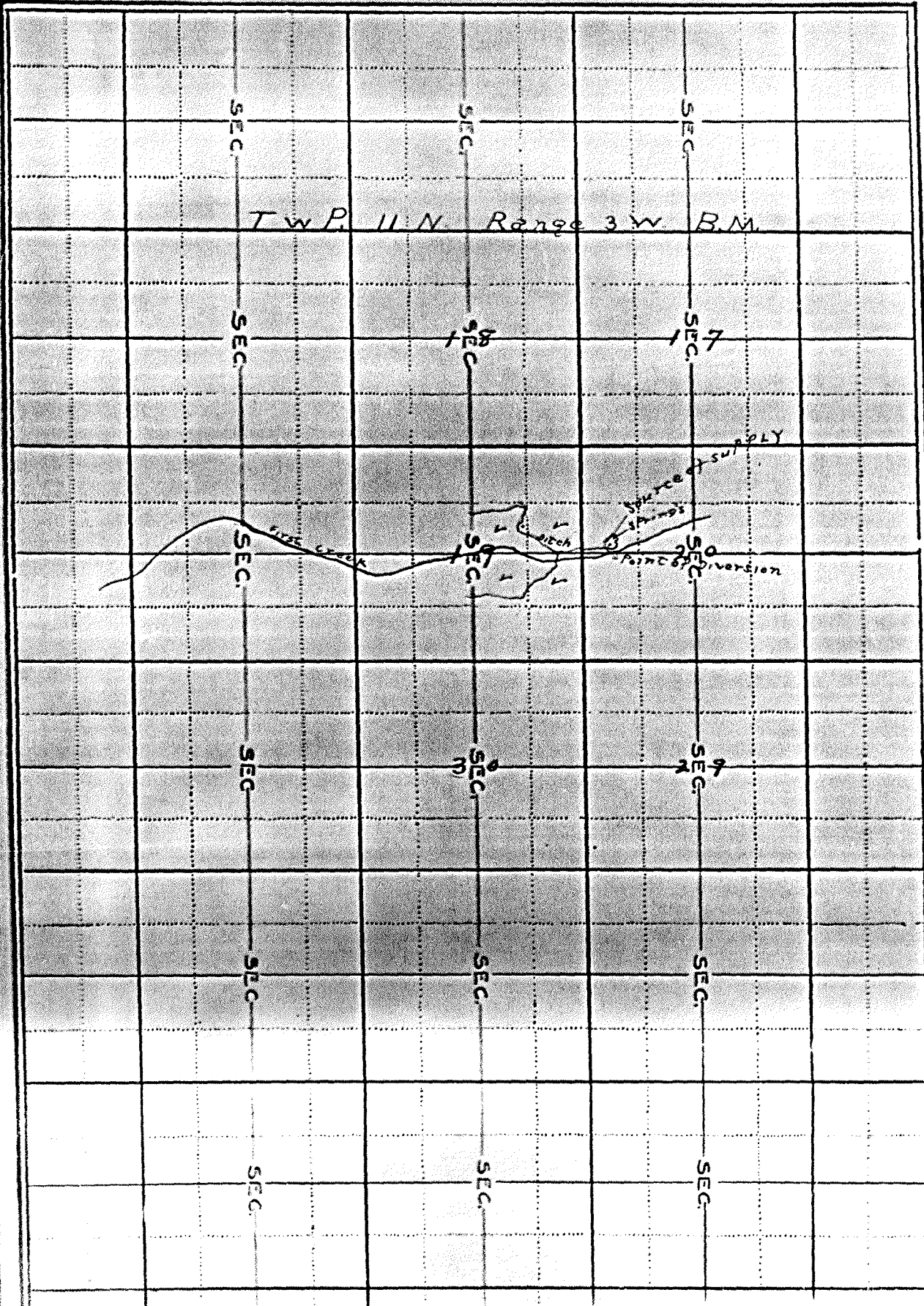
Subscribed and sworn to before me this 13th day of June 1917

My commission expires Sept 21st 1917

Residing at Weiser Idaho.

Name of Applicant

Calvin Woodland



No. 16492.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Calvin Woodland

Postoffice address: Weiser

County: Washington

State: Idaho.

I. If applicant is a corporation, give

(a) Date and place of incorporation:

(b) The amount of capital stock:

(c) The amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are: (a) Cash on hand:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. The quantity of water claimed is 4/5 cubic feet per second.

3. Source of water supply: springs

4. Location of point of diversion: On SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20 Twp 11 N. R. 3 W. B. M. N. 86° 50' E. 600 ft. from $\frac{1}{4}$ cor. to secs. 19-20 Twp. 11 N. R. 3 W. B. M.

County of Washington.

5. To be used for: Irrigation

I. Irrigation and domestic use: (a) Amount of land to be irrigated:

40

acres.

(b) In the following legal subdivisions: South $\frac{1}{2}$ NE $\frac{1}{4}$ and North $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 19 Twp. 11 N. R. 3 W. B. M.

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point:

(b) Amount of power to be generated:

H. P. under

ft. head

(c) Is water to be returned to any stream?
return:

(d) If so, name stream and locate point of

6. Estimated cost of works: \$400.00

7. Description of works for diversion:

I. Kind of works: Ditch and pipe

II. Dimensions of works:

(a) Height of dam

feet, length of dam at top

feet,

length of dam at bottom

feet. Material used in construction:

(b) Capacity of reservoir

acre feet. (c) Size of headgate, width

feet,

Height

feet.

(d) Conduit

Ditch & pipe

width at bottom

1

feet,

width at water line

2

feet, depth of water

3/4

feet; diameter of pipe

6 inches; average grade per mile is 6

feet.

Length of conduit is 1

miles,

and it crosses the following quarter sections:

NW $\frac{1}{4}$ Sec. 20 - NE $\frac{1}{4}$ and SE $\frac{1}{4}$ Sec. 19 twp. 11 N.

Range 3 W. B. M.

8. The time required for the completion of the construction of such work is

2

years.

May 10, 1971

CERTIFIED MAIL # 31260

Re: Permit No. 11321 (New No. 67-2101)

Calvin Woodland
Weiser,
Idaho 83672

Dear Mr. Woodland:

It appearing to the Department of Water Administration that the terms and conditions of Permit 11321/67-2101 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit proof of beneficial use of water due on June 19, 1918, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before June 19, 1971, why said permit should not be cancelled.

Permit 11321/67-2101 claims the use of 0.8 cubic feet per second of water from springs, the point of diversion was to be located within the SW 1/4, Sec. 20, T. 11N, R. 3W, B.M. and the permit was approved June 19, 1913.


R. KEITH HIGGINSON
Director

67-2101

Permit No. 11321

67-2101

**Certificate of Completion
of Works**

Dated July 7 1917

Stream Springs

County Washington

Amount 4/5 of 1 sec.ft.

Date of Priority June 7, 1915

Recorded in Book 38

of Permits page 11321

(Office Form No. 1)

**See Rules and Regulations
enclosed herewith.**

Address All Communications to

Weiser Engineering Co

P. O.

Weiser

No. *10492*

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho.

1. Name of Applicant: *Calvin Woodland*

Postoffice address: *Weiser*

County: *Washington* State: *Idaho*

I. If applicant is a corporation, give:

(a) Date and place of incorporation: _____

(b) The amount of capital stock: _____

(c) The amount paid in: _____

(d) Names and addresses of directors: _____

II. The financial resources of the applicant are:

(a) Cash on hand: _____

(b) Treasury stock: _____

(c) Bonds to be issued: _____

(d) Other resources: _____

2. The quantity of water claimed is *4/5* cubic feet per second.

3. Source of water supply: *Springs*

4. Location of point of diversion: *On S.W. 1/4 N.W. 1/4 Sec 20 Twp 11 N. R. 3 W. B.M.*
N 86°-50' E 600 FT From 1/4 Cor to Secs 19-20 Twp 11 N. R. 3 W. B.M.
County of *Washington*

5. To be used for: *Irrigation*

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: *40* acres.

(b) In the following legal subdivisions: _____

(A list of the lands to be irrigated may be appended as a part of this application.)

South 1/2 N.E. 1/4 and North 1/2 S.E. 1/4 Sec 19

Twp 11 N. R. 3 W. B.M.

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point: _____

(b) Amount of power to be generated _____ H. P. under _____ ft. head.

(c) Is water to be returned to any stream: _____

(d) If so, name stream and locate point of return: _____

No. 11581

PERMIT

Date of first receipt at office of State Engineer

9⁰⁰am JUN 17 1915

Returned to applicant for correction

Corrected application received

Fees, \$

100 under 1621

6. Estimated cost of work: \$ 400.00

7. Description of works for diversion:

1. Kind of works: Ditch and Pipe
(Reservoir, dam, ditch, flume, pipes or otherwise)

II. Dimensions of work:

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction: _____
(If height of dam will exceed ten feet, send to State Engineer's office for Regulations.)
(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width _____ feet, Height _____ feet.

(d) Conduit Ditch + Pipe, width at bottom 1 feet, width at water line _____ feet, depth of water 3/4 feet; diameter of pipe 6 inches; average grade per mile is 6 feet. Length of conduit is 1 miles, and it crosses the following quarter sections: N.W. 1/4 Sec 20 - N.E. 1/4 and S.E. 1/4 Sec 19 Twp 11 N. Range 3 W. B.M.

8. The time required for the completion of the construction of such work is 2 years.

9. Time required for the complete application of the water to the proposed use is 1 additional years.

BE IT KNOWN, That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Calvin Woodland
Applicant.

By H H Wood Agent.

Remarks:

I, _____, of _____ County, Idaho, to hereby certify that I am the owner of the land on which the spring mentioned in the application of _____ is located, to-wit:- and that I do hereby grant unto the said _____ permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO,)
County of _____) ss

On this _____ day of _____ 191____, before me, a Notary Public in and for said County, personally appeared _____ known to me to be the person whose name _____ subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

Notary Public.

My commission expires _____

The land upon which the spring
is located is upon unappropriated
Government land

APPROVAL OF STATE ENGINEER.

The number of this permit is 11,281

Recorded in Book 88 Page 11,281 Approved June 19, 1915

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before August 18, 1915, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One fifth of the work above specified to be completed on or before June 19, 1916

The whole of said work to be completed on or before June 19, 1917

Beneficial use of water appropriated in accordance herewith, to be made on or before

June 19, 1918

Witness my hand this 19th day of June, 1915

State Engineer.

Permit No. 11321

Certificate of Completion of Works

To All Whom It May Concern:

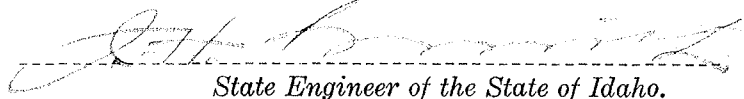
This is to certify that Calvin Woodland
 of Weiser, County of Washington, and State of
Idaho, the holder of Permit No. 11321, issued upon Application
 No. 16492, bearing date of priority of June 7, 1915, authorizing the diversion of
4/5 of 1 second ~~foot~~ of the waters of unnamed springs,

County of Washington, State of Idaho, for irrigation and domestic
 purposes, has s fully complied with the provisions of the laws of the State of Idaho relating to the
 proof of completion of the works of diversion set out and described in said Permit; that said works are
 adequate for diverting and conveying to the place of intended use 4/5 of 1
 second ~~foot~~ of the waters of said springs;

that the point of diversion of said waters is on the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 20, T. 11 N., R. 3 W., B.M.

and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:
S $\frac{1}{2}$ of NE $\frac{1}{4}$ and N $\frac{1}{2}$ of SE $\frac{1}{4}$, Sec. 19, T. 11 N., R. 3 W., B.M.

Witness my hand this 7th day of July, A. D. 1917.


 State Engineer of the State of Idaho.

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

RECEIVED

DEPARTMENT
WATER RESOURCES

Ident. Number
Date Received:
Receipt No:
Received By:

67-14702
3-28-06
C080733
CS

New Claim

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

New Claim

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

Passed away

ROD R WOODLAND Phone: (208)880-2605

861 WOODLAND LN
WEISER ID USA 83672-5371

2. Date of Priority: 06/13/1917

3. Source: Springs Trib. to: First Creek

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11N	03W	20	SW NW	WASHINGTON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.08	
STOCKWATER	1/01	12/31	0.09	

7. Total Quantity Appropriated is:
0.17 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	NE	SE	IRRIGATION	4
Section Acres						4
Total Acres						4

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:

This claim is meant to claim water use under permit 67-2101 (16492).
Completion of works submitted June 13, 1917 lists 2 acres of irrigation (csaxton 11-7-05).

More ground is now irrigated from the pond supplied by the springs, but since the pond was put in place in 1978 (NESE S19), a new permit will need to be filed for that 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 X 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): *Gad Woodland*

Date: *3-20-06* *Q.W.*

Jessie Woodley

Date: *3-20-06*

State of Idaho)
County of *Washington*) SS.

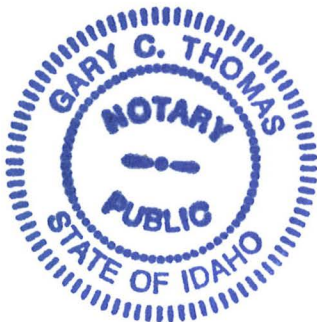
Subscribed and sworn (or affirmed) before me this *20th*
of *March* 20*06*

Gary Thomas

Notary Public

Residing at *Emmett, Idaho*

My commission Expires *10/27/10*



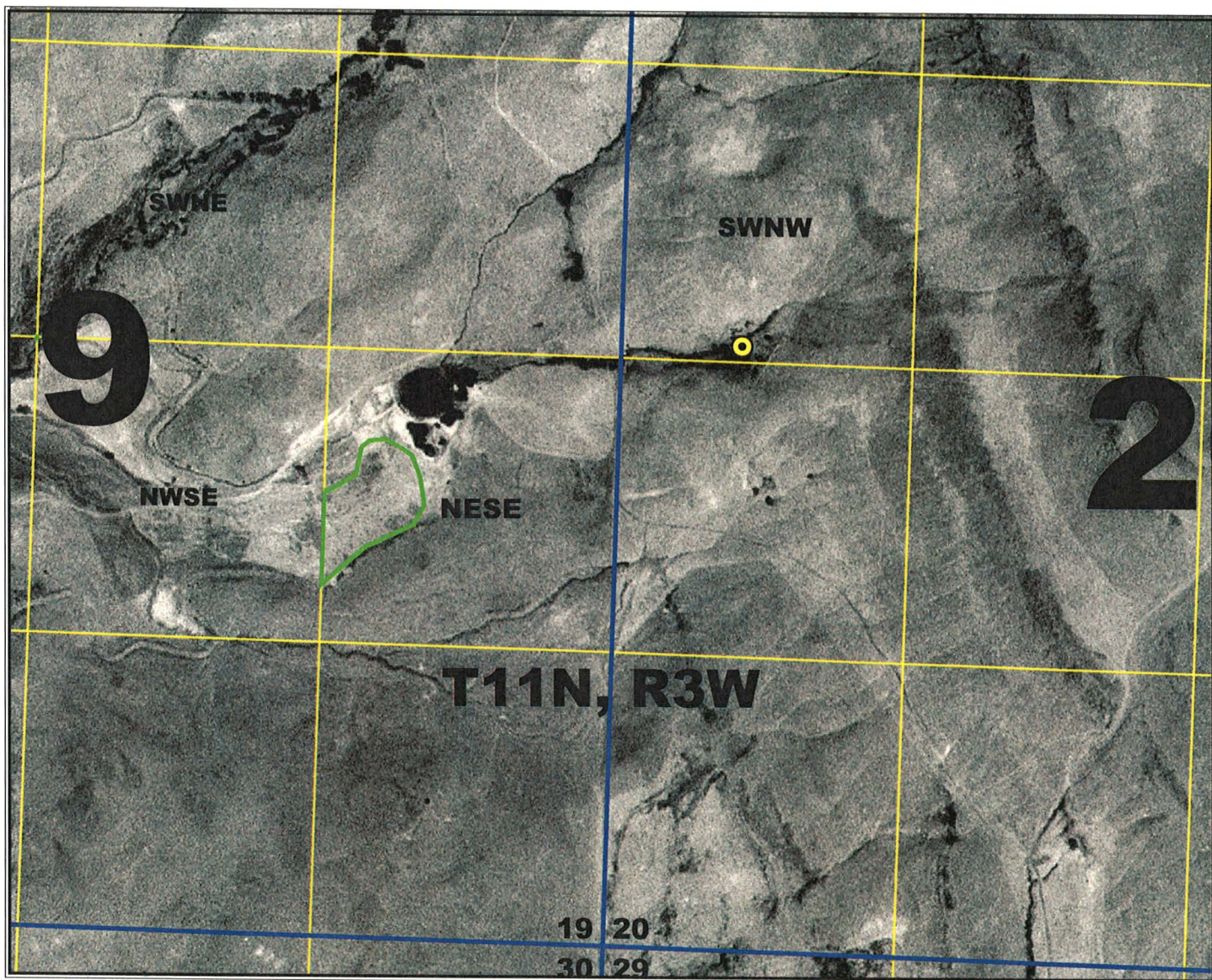


State of Idaho

Reference Map

Map Source: 2004 DOQQ

Claim #(s): 67-_____



1320 0 1320 Feet

● Point of Diversion

□ Claimed Place of Use

□ Tax Lot Data (N/A)

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: 4.0

Initial Acres Found: 0.0



SCANNED

APR 06 2006

Prepared By: Craig L. Saxton

Date: November 2005



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

SCANNED

APR 06 2006

"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.

SCANNED

APR 06 2006

Conclusion:

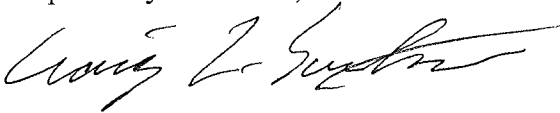
I have covered a lot of stuff in one letter. To sum it briefly:

- 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

SCANNED

APR 06 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 67-14702
Date Received: 4/6/2006
Receipt No:
Received By:

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

1. Name of Claimant(s)

JESSIE C WOODLAND Phone: (208)880-2605

861 WOODLAND LN
WEISER ID USA 83672-5371

ROD R WOODLAND Phone: (208)880-2605

861 WOODLAND LN
WEISER ID USA 83672-5371

No need
to scan
we will just put
in file CS

2. Date of Priority: 06/13/1917

3. Source: SPRING Trib. to: FIRST CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11N	03W	20	SW NW	WASHINGTON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.08	
STOCKWATER	01/01	12/31	0.09	

7. Total Quantity Appropriated is:
0.17 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
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Idaho Department of Water Resources Receipt

Receipt ID C080733

Payment Amount \$54.00 Date Received 3/28/2006 11:34:39 AM Region State Status
 Payment Type Check Check Number 3582

Payer ROD OR JESSIE WOODLAND

Comment FEE FOR CLAIM FOR #67-4077

67-14702

Don't scan this
 but we will put
 in file. I am
 having the record
 fixed. Don't worry
 about this. C

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$54.00	ADJUDICATION FILING FEE	0337	41503	1155	



Signature Line (Dept. Representative)