

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: A37-07792
Date Received: 10/07/1988
Receipt No: M001538
Received By: KBW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

- 1. Name: WILLIAM B. COLLINS 208-788-3029
Address: STAR RT. TRIUMPH
HAILEY, ID 83333
- 2. Date of Priority: OCT 06, 1979
- 3. Source: SPRINGS Trib. to: BIG WOOD RIVER, EAST FORK

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
04N	18E	25	NE		SW		SE		BLAINE

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	11/01	0.060		9.00
RECREATION	01/01	12/31	0.200		

7. Total Quantity Appropriated is:
0.200 C.F.S. (and/or) 9.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	18E	25	SW		SE		IRR	3.0
								Section Acres 3.0

COPY

MICROFILMED
FEB 24 1993

10. Place of Use: Continued

Total Acres 3.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

Use of water under this license for recreation purposes shall be non-consumptive.

15. Basis of Claim: LICENSE

COPY

MICROFILMED
FEB 24 1993

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: _____

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): W.B. [Signature] Date: 7 Oct 88
_____ Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of Oct 19 88

John Dale Corley
Notary Public

Seal

Residing at Boise Id
My Commission Expires 4/2/90

COPY

MICROFILMED
FEB 24 1993

05/27/2009

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

RIGHT NUMBER: 37-7792

NAME AND ADDRESS: WILLIAM B COLLINS
~~STAR RT TRIUMPH~~ 574 East Fork Road
HAILEY ID 83333

SOURCE: SPRINGS TRIBUTARY: EAST FORK WOOD RIVER

QUANTITY: 0.200 CFS
9.00 AFY

PRIORITY DATE: 10/06/1979

POINT OF DIVERSION: T04N R18E S25 NESWSE Within BLAINE County

KKC

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.060 CFS 9.00 AFY
RECREATION	1/01 12/31	0.200 CFS

Use of water under this license for recreation purposes shall be non-consumptive.

PLACE OF USE: IRRIGATION in BLAINE County
T04N R18E S25 SWSE 3.00

RECREATION same as IRRIGATION

3 ACRES TOTAL

Place of use does not include federal public lands.

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 - License

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

CERTIFICATE OF SERVICE

I certify that on _____, 2009, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

Overnight Mail
 Regular Mail
 Hand-Delivered
 Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

Overnight Mail
 Regular Mail
 Hand-Delivered
 Facsimile

U.S. Dept. of Justice
Environment & Natural Resource Div.
550 W. Fort St., MSC 033
Boise, ID 83724

Overnight Mail
 Regular Mail
 Hand-Delivered
 Facsimile

William B. Collins
574 East Fork Rd.
Hailey, ID 83333

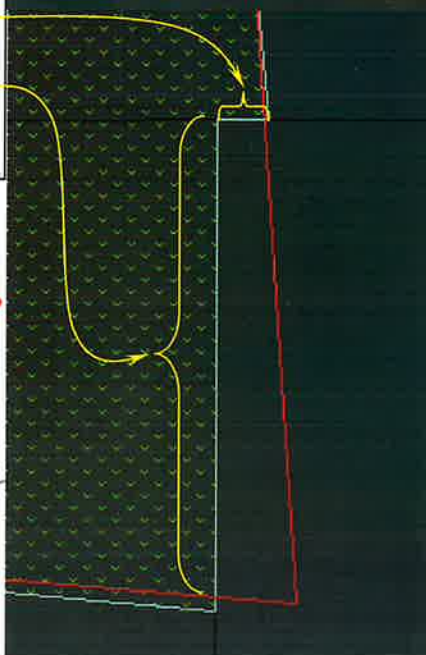
Overnight Mail
 Regular Mail
 Hand-Delivered
 Facsimile

Signature of person or attorney mailing the form

37-7792 Collins status Conf set for 10-28-09



Aprox 3 Ft
Aprox 32 ft



SF5 signed
7-31-09

Utility changing
address

updated shape
7-31-09
KKC

Christensen, Kelly

From: Christensen, Kelly
Sent: Wednesday, May 27, 2009 12:39 PM
To: Kelly, Vicki; Jones, Doug
Subject: 37-7792 Collins

Attachments: 37-7792 COLLINS sf-5 recom.doc

I don't know what is going on with this one, anyway this is what I did.

The file is on my desk, I had created a shape some time ago, so I just added U42 (No fed land) and updated the shape to exclude the fed lot sliver.

I hope that I did everything necessary and I hope nobody cares that I did it.



37-7792 COLLINS
sf-5 recom.doc...

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

05/27/2009

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

RIGHT NUMBER: 37-7792

NAME AND ADDRESS: WILLIAM B COLLINS
STAR RT TRIUMPH
HAILEY ID 83333

SOURCE: SPRINGS TRIBUTARY: EAST FORK WOOD RIVER

QUANTITY: 0.200 CFS
9.00 AFY

PRIORITY DATE: 10/06/1979

POINT OF
DIVERSION:

T04N R18E S25 NESWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.060 CFS 9.00 AFY
RECREATION	1/01 12/31	0.200 CFS

Use of water under this license for recreation purposes shall be non-consumptive.

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S25 SWSE 3.00

RECREATION same as IRRIGATION

3 ACRES TOTAL

Place of use does not include federal public lands.

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 - License

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

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. **Name and Address**
Should be:
2. **Source**
Should be:
3. **Quantity**
Should be:
4. **Priority Date**
Should be:
5. **Point(s) of Diversion**
Should be:
6. **Instream Flow Description**
Should be:
7. **Purpose(s) of Use**
Should be:
8. **Period of Year**
Should be:
9. **Place of Use**
Should be: See attached.

11. **I object because:**

- This water right should not exist.
- This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which a portion of the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include federal public land.

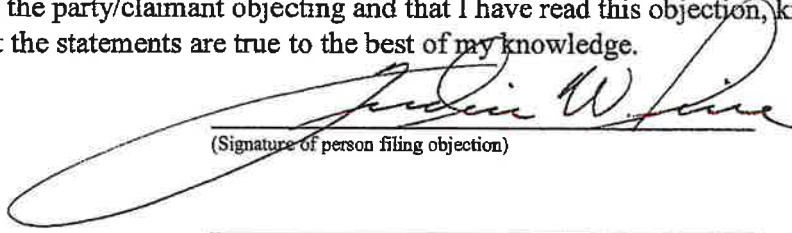
F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 11, 2007





Casey R. O'Brien

Notary Public for State of Idaho
Residing at: Nampa, ID.
My Commission Expires: 10-31-2009

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

RIGHT NUMBER: 37-7792
 NAME AND ADDRESS: WILLIAM B COLLINS
 STAR RT TRIUMPH
 HAILEY ID 83333
 SOURCE: SPRINGS TRIBUTARY: EAST FORK WOOD RIVER
 QUANTITY: 0.200 CFS
 9.00 APY
 PRIORITY DATE: 10/06/1979
 POINT OF DIVERSION: T04N R18E S25 NESWSE Within BLAINE County
 PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/01 11/01	0.060 CFS
		9.00 APY
RECREATION	1/01 12/31	0.200 CFS

Use of water under this license for recreation purposes shall be non-consumptive.

PLACE OF USE: IRRIGATION in BLAINE County
Mixed T04N R18E S25 SWSB 3.00
RECREATION same as IRRIGATION
 3 ACRES TOTAL

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 - License

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

-Mixed POU:

The place of use contains both private and public land.

-Please clarify such that only private land is intended by inserting the following remark under place of use:

"Place of use does not include federal public lands."

-Please adjust shapefile to exclude BLM.

RECEIVED

MAY 13 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY 12 2009	
By _____	Clerk Deputy Clerk

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)

**ORDER DISMISSING OBJECTIONS
AND RESPONSES**

Case No. 39576)

SUBCASE NO.: 37-7792

I. PROCEDURAL BACKGROUND


An Initial Hearing was held on April 22, 2009. At the hearing, Tom O'Gara, John Stevenson, Bill Molyneux, Pete Van Der Muelen, Grace Eakin, Gerald Bashaw, Rocky Sherbine, Pepin Corso-Harris and the Big Wood Canal Company made an oral *Motion to Withdraw Objections*. There was no opposition to the withdrawal of the *Objections*.

At the hearing, Newfoundland Partners, Sinclair Oil Corporation, Barker Living Trust, Myer Berlow, Chaney Creek Ranch LLC, Eagle Creek Irrigation Co., ECD Inc., Michael Engl, Charles Foley, Gimlet Property Owners Association, William Gordon, Gregory Ranch LLC, Lake Creek Meadows Homeowners, Elise Lufkin, Charles Matthiesen, The R. Daniel Olmstead Revocable Trust, Ralph and Kandi Girton, River Rock Ranch LP, Rivers Edge Associates LLC, Steven Holzman Trust, Michael Willard, and Roy Woods made an oral *Motion to Withdraw Responses*. There was no opposition to the withdrawal of the *Responses*.

II. FINDING AND CONCLUSIONS

Therefore, IT IS ORDERED that the *Objections* filed by Tom O'Gara et.al. and the Big Wood Canal Company are dismissed with prejudice. IT IS FURTHER ORDERED that the *Responses* filed by Newfoundland Partners, Sinclair Oil Corporation, and Barker Living Trust, et.al are dismissed with prejudice. The Objectors and Respondents are dismissed as parties.

Dated: May 12, 2009.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

37-07792
William Collins



-Mixed POU:

The place of use contains both private and public land.

-Please clarify such that only private land is intended by inserting the following remark under place of use:

“Place of use does not include federal public lands.”

-Please adjust shapefile to exclude BLM.

= BLM

11/21/2006

**NOTICE OF ERROR
REPLY**

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: 12/13/2006

Water right number: 37-7792


WILLIAM B COLLINS
STAR RT TRIUMPH
HAILEY ID 83333

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: 27 NOV 06 SIGNATURE: 
Please print your name: William B. Collins

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

SCANNED
NOV 30 2006

11/07/2006

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

RIGHT NUMBER: 37-7792
NAME AND ADDRESS: WILLIAM B COLLINS
STAR RT TRIUMPH
HAILEY ID 83333
SOURCE: SPRINGS TRIBUTARY: EAST FORK WOOD RIVER
QUANTITY: 0.200 CFS
9.000 AFY
PRIORITY DATE: 10/06/1979
POINT OF DIVERSION:

T04N R18E S25 NESWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.060 CFS 9.00 AFY
RECREATION	1/01 12/31	0.200 CFS

Use of water under this license for recreation purposes shall be non-consumptive.

PLACE OF USE: IRRIGATION in BLAINE County
T04N R18E S25 SWSE 3.00
RECREATION same as IRRIGATION

3 ACRES TOTAL

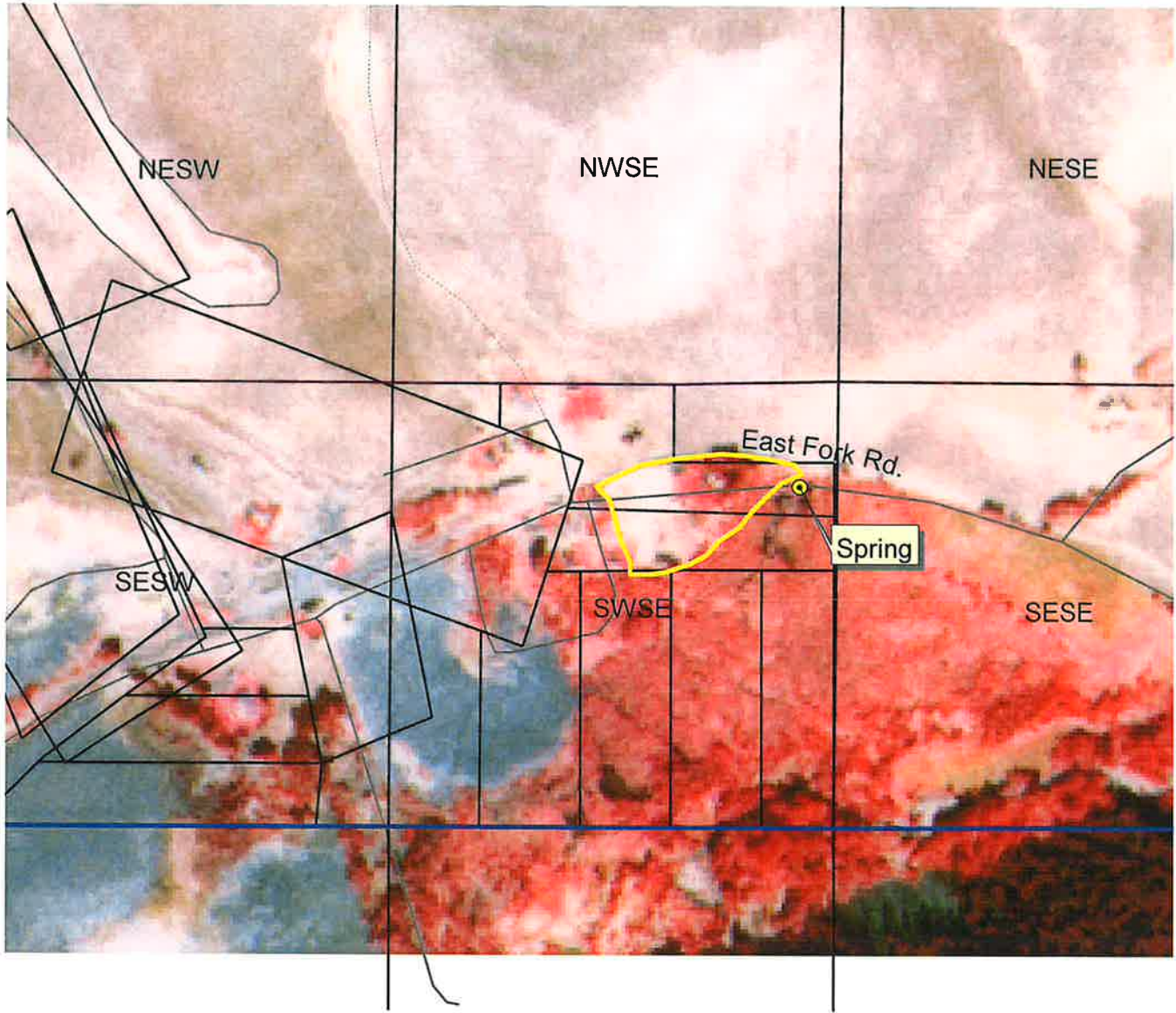
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License






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

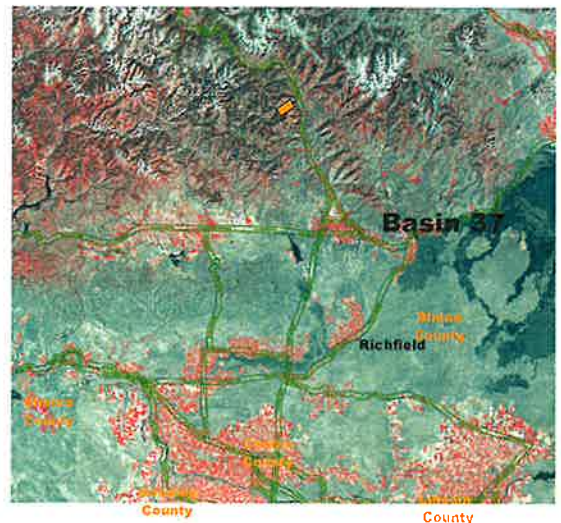
Idaho Department of Water Resources
RECOMMENDED PLACE OF USE FOR
37-7792



PLACE OF USE
TWP 04N, RNG 18E, SEC 25
Data entry on September 30, 2005



	RECOMMENDED POINT OF DIVERSION		RECOMMENDED PLACE OF USE		LOCATION IN BASIN
	TOWNSHIP LINES		SECTION LINES	GIS PLACE OF USE PRESENTATION 1987/1988 NAPP AERIAL PHOTOGRAPHY DATA ENTRY BY NICK TREASURE	



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-7792

Priority: October 6, 1979 Amount: .20 CFS 9.0 AFA

This is to certify, that WILLIAM B. COLLINS
STAR RT. TRIUMPH
HAILEY, ID 83333 has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated August 7, 1979, and
has submitted proof to the Department of Water Resources on April 16, 1985, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .20 cfs of water from;

SPRINGS tributary to BIG WOOD RIVER, EAST FORK

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	04/01 to 11/01	.06 cfs	9.0 afa
Recreation	01/01 to 12/31	.20 cfs	
	Totals	.20 CFS	9.0 AFA

LOCATION OF POINT OF DIVERSION(S): NESWSE , Sec. 25, Township 4N, Range 18E
Blaine County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
4N	18E	25	SWSE	3			3
Total number of acres irrigated:							3

PLACE OF USE: Recreation, same as Irrigation use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this license is subject to control by the watermaster of State Water District No. 37 .
5. Use of water under this license for recreation purposes shall be non-consumptive.

MICROFILMED

APR 13 1987

State of Idaho
Department of Water Resources

PAGE 2

WATER RIGHT LICENSE

WATER RIGHT NO. 37-7792

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 6th day of April, 1982.

Acting for the Director



MICROFILMED

APR 13 1987

Mr. Joan Collins
27-7792

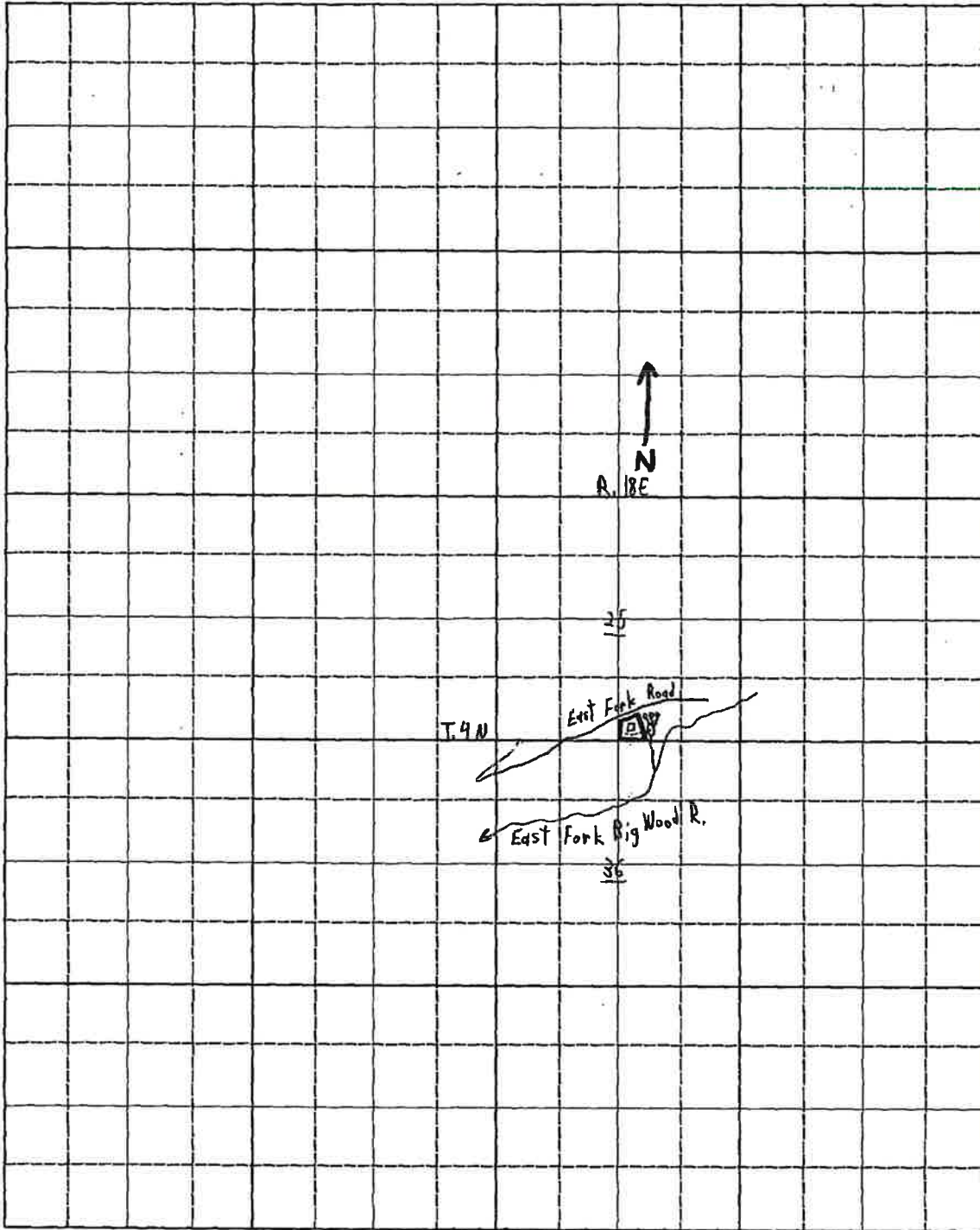
UNRECORDED

APR 13 1987

Land
Broughted
to Spring
excavation



11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 Inches equal 1 mile.

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

Wm B. Collins
(Applicant)