

RECEIVED

APR 15 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP*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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
	37-8248				

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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) John McCaw
5808 Lake Washington Blvd. NE
Kirkland, WA 98033
Ann Holden Scott FKA

4. New Owner/Claimant(s) Ann S. McCaw, Trustee of the Ann S. McCaw
Revocable Trust dated May 13, 1999

New Mailing Address 3701 Sacramento St., #174

City, State and ZIP Code San Francisco, CA 94118

New Telephone Number (310) 456-5373 Email: annholdenscott(at)gmail.com

SCANNED
APR 27 2010

5. Date you acquired the property May 13, 1999

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s) *Jim Hiden Lott* Trustee
(title if applicable)
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

SCANNED
APR 27 2013

Filed for Record at Request of:

Malcolm A. Moore, Esq.

AFTER RECORDING RETURN TO:

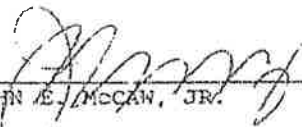
Malcolm A. Moore, Esq.
Davis Wright Tremaine
2600 Century Square
1501 Fourth Avenue
Seattle, WA 98101-1688

GRANT DEED

THE GRANTOR JOHN E. McCAW, JR., for and in consideration of love and affection grants to JOHN E. McCAW, JR. and ANN SMITH McCAW, husband and wife, as their community property, the following described real estate, situated in the County of Blaine, State of Idaho together with all after acquired title of the grantor therein:

Lot 1 of Beaver Springs subdivision,
according to the official plat thereof,
recorded as instrument no. 181497, records of
Blaine County, Idaho.

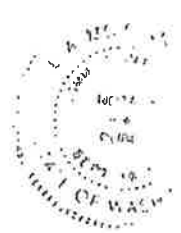
DATED this 5th day of June, 1991.


JOHN E. McCAW, JR.

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 5th day of June, 1991, before me, a Notary Public in and for the State of Washington, personally appeared JOHN E. McCAW, JR., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument and acknowledged it to be his free and voluntary act and deed for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.


NOTARY PUBLIC in and for the State
of Washington, residing at 1010 1st Ave
My appointment expires 12/31/93

332268

SCANNED
APR 27 2017

Filed for Record at Request of
Mark W. Roberts

BLAINE CO. REQUEST

AFTER RECORDING, RETURN TO:

Mark W. Roberts
DAVIS WRIGHT TREMAINE
2600 Century Square
1501 Fourth Avenue
Seattle, WA 98101-1688

1991 OCT 18 11:50

334693

CLERK

6⁰⁰

MP

Reed

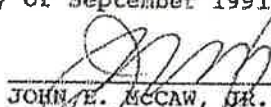
QUIT CLAIM DEED

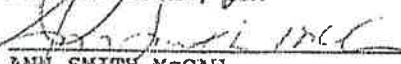
The Grantors, JOHN E. MCCAWE, JR. and ANN SMITH MCCAWE, as husband and wife, for good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, convey and quit claim to ANN SMITH MCCAWE, as her separate estate, with the mutual intent to convert the community property interest of each individual grantor to a separate property interest of the grantee, the following described real estate, situated in the County of Blaine, State of Idaho, together with all after acquired title of the grantors therein:

Lot 1 of Beaver Springs subdivision, according to the official plat thereof, recorded as instrument No. 181497, records of Blaine County, Idaho;

SUBJECT TO the right of JOHN E. MCCAWE, JR. to purchase the above-described real estate under Paragraph 6.6.3 of that certain written agreement dated August 7, 1991, between JOHN E. MCCAWE, JR. and ANN SMITH MCCAWE.

Dated this 11th day of September 1991.


JOHN E. MCCAWE, JR.


ANN SMITH MCCAWE

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 11th day of September, 1991, before me, a Notary Public in and for the State of Washington, personally appeared JOHN E. McCaw, JR., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument and acknowledged it to be his/her free and voluntary act and deed for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



L.A. McGinness
NOTARY PUBLIC in and for the State
of Washington, residing at Kuldsand
My appointment expires 9/19/93

STATE OF IDAHO)
) ss.
COUNTY OF BLAINE)

On this 24th day of September, 1991, before me, a Notary Public in and for the State of Idaho, personally appeared ANN SMITH McCaw, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument and acknowledged it to be his/her free and voluntary act and deed for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



APICCA K. SPENCE
NOTARY PUBLIC in and for the State
of Idaho, residing at Ketchum
My appointment expires 11-5-96

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

Michael J. McQuiller, Esq.
Zuckerman & McQuiller
4 Embarcadero Center, Suite 3610
San Francisco, CA 94111

427470

Real

DEED REQUEST

SUN VALLEY TITLE

MAIL TAX STATEMENTS TO:

Ann S. McCaw, Trustee
2711 Scott Street
San Francisco, CA 94123

APR 20 PM 2 43

CLERK

FEE \$6.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

TRUST TRANSFER DEED

THIS INSTRUMENT FILED FOR RECORD
BY SUN VALLEY TITLE COMPANY AS AN
ACCOMMODATION ONLY. IT HAS NOT
BEEN EXAMINED AS TO ITS EXECUTION
OR AS TO ITS EFFECT UPON THE TITLE.

FOR NO CONSIDERATION,

Ann Smith McCaw, a single woman who acquired title as Ann Smith McCaw, a married woman as her separate estate,

hereby GRANTS to Ann S. McCaw, not individually but as Trustee of the Ann S. McCaw Revocable Trust dated May 13, 1999,

the following described real property in the County of Blaine, State of Idaho, together with all after acquired title of the grantor therein:

Lot 1 of Beaver Springs subdivision, according to the
official plat thereof, recorded as instrument
No. 181497, records of Blaine County, Idaho.

Dated: May 13, 1999

Ann Smith McCaw
Ann Smith McCaw

THIS CERTIFICATE MUST BE
ATTACHED TO THE DOCUMENT
DESCRIBED AT RIGHT:

Title or Type of Document: Trust Transfer Deed
Number of Pages: 2
Date of Document: May 13, 1999
Signer(s) Other Than Below-Named: NONE

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN FRANCISCO)

On this 13th day of May, 1999, before
me, Susan T. Stratton, a Notary Public in
and for the County of San Francisco, State
of California, personally appeared Ann
Smith McCaw, personally known to me
OR proved to me on the basis of satis-
factory evidence to be the person whose
name is subscribed to the within
instrument and acknowledged to me that
she executed the same in her authorized
capacity, and that by her signature on the
instrument, the person, or the entity upon
behalf of which the person acted, executed
the instrument.

WITNESS my hand and official seal.

Susan T. Stratton
Susan T. Stratton, Notary Public

CAPACITY CLAIMED BY SIGNERS

- ☒ Individuals
☐ Corporate Officer(s)
☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Subscribing Witness
☐ Guardian/Conservator
☐ Other: _____

SIGNER IS REPRESENTING:
name of person(s) or entity(ies)

(Seal)



SCANNED
APR 22 2017

STATE OF CALIFORNIA
CERTIFICATION OF VITAL RECORD

County of Ventura
VENTURA, CALIFORNIA

LICENSE AND CERTIFICATE OF MARRIAGE
MUST BE LEGIBLE - NAME NO ERASURES, WHITEOUTS, OR OTHER ALTERATIONS
USE DARK INK ONLY

4 2009 56001613

STATE FILE NUMBER		LOCAL REGISTRATION NUMBER	
FIRST PERSON DATA	1A. FIRST NAME ANN	1B. MIDDLE HOLDEN	1C. CURRENT LAST MCCAW
	2. DATE OF BIRTH (MM/DD/YYYY) 09/12/1952	3. STATE/COUNTRY OF BIRTH WA	4. PREV. MARRIAGES (GROUP) 2
	5A. LAST MARRIAGE (GROUP) ENDED BY ☐ DEATH ☒ ANNULMENT ☐ TERM (GROUP) ☐ N/A	5B. DATE ENDED (MM/DD/YYYY) 10/16/1998	6. ADDRESS 22575 CARBON MESA ROAD
	7. CITY MALIBU	8. STATE/COUNTRY CA	9. ZIP CODE 90265
SECOND PERSON DATA	10A. FULL BIRTH NAME OF FATHER/PARENT WILLARD WALLACE SMITH	10B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY) CA	11A. FULL BIRTH NAME OF MOTHER/PARENT ANN CASE
	12A. FIRST NAME RICHARD	12B. MIDDLE NEAL	12C. CURRENT LAST SCOTT
	13. DATE OF BIRTH (MM/DD/YYYY) 12/18/1940	14. STATE/COUNTRY OF BIRTH CA	15. A PREV. MARRIAGES (GROUP) 2
	16A. LAST MARRIAGE (GROUP) ENDED BY ☐ DEATH ☒ ANNULMENT ☐ TERM (GROUP) ☐ N/A	16B. DATE ENDED (MM/DD/YYYY) 12/26/1998	17. ADDRESS 23908 MALIBU KNOLLS
AFFIANT	18. CITY MALIBU	19. STATE/COUNTRY CA	20. ZIP CODE 90265
	21A. FULL BIRTH NAME OF FATHER/PARENT DUDLEY ORFIELD SCOTT	21B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY) OH	22A. FULL BIRTH NAME OF MOTHER/PARENT MARTHA MAOMNEAL
	22B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY) IL	23. SIGNATURE OF PERSON LISTED IN FIELDS 1A-1D <i>Ann Holden</i>	
	24. SIGNATURE OF PERSON LISTED IN FIELDS 1E-1H <i>Richard B. Scott</i>		25. THE UNDERSIGNED DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT WE ARE UNMARRIED AND THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. WE FURTHER DECLARE THAT NO LEGAL OBJECTION TO THE MARRIAGE NOR TO THE ISSUANCE OF A LICENSE IS KNOWN TO US. WE ACKNOWLEDGE RECEIPT OF THE INFORMATION REQUESTED BY FAMILY CODE SECTION 306 AND HEREBY APPLY FOR A LICENSE.
LICENSE TO MARRY	26A. DATE (MM/DD/YYYY) 04/06/2009	26B. EXPIRES AFTER (MM/DD/YYYY) 07/05/2009	26C. NAME OF COUNTY CLERK JAMES D BECKER, ASST CLERK
	26D. SIGNATURE OF CLERK OR DEPUTY CLERK <i>James D. Becker</i>	26E. MARRIAGE LICENSE NUMBER 20090406100050060	26F. COUNTY OF ISSUE VENTURA
	26G. RETURN COMPLETED MARRIAGE LICENSE TO (INCLUDE ADDRESS) VENTURA COUNTY RECORDER 800 S. VICTORIA AVENUE VENTURA, CA 93009	26H. SIGNATURE OF CLERK OR DEPUTY CLERK <i>James D. Becker</i>	
	26I. SIGNATURE OF CLERK OR DEPUTY CLERK <i>James D. Becker</i>		
WITNESSES (ONE REQUIRED, NO MORE THAN TWO ALLOWED)	27A. SIGNATURE OF WITNESS <i>Baron Spafford</i>	27B. NAME OF PERSON WITNESSING MARRIAGE (TYPE OR PRINT CLEARLY) BARON SPAFFORD	27C. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE 1815 Gillespie St. Santa Barbara CA 93101
	27D. SIGNATURE OF WITNESS <i>Richard B. Tobin</i>	27E. NAME OF PERSON WITNESSING MARRIAGE (TYPE OR PRINT CLEARLY) Richard B. Tobin	27F. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE 213 Santa Anita Road, Santa Barbara, CA 93105
	27G. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE		
	27H. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE		
OPTIONAL SECTION FOR SOLEMNIZATION OF MARRIAGE	28A. DATE OF MARRIAGE (MM/DD/YYYY) 06/11/2009	28B. CITY/TOWN OF MARRIAGE Santa Barbara	28C. COUNTY OF MARRIAGE Santa Barbara
	28D. SIGNATURE OF PERSON SOLEMNIZING MARRIAGE <i>Richard B. Tobin</i>	28E. RELIGIOUS DENOMINATION (IF CLERGY) Nondenominational	28F. OFFICIAL TITLE Minister
	28G. NAME OF PERSON SOLEMNIZING MARRIAGE (TYPE OR PRINT CLEARLY) Richard B. Tobin	28H. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE 213 Santa Anita Road, Santa Barbara, CA 93105	
	28I. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE		
NEW NAMES (IF ANY)	29A. FIRST - MUST BE NAME AS 1A ANN	29B. MIDDLE HOLDEN	29C. LAST SCOTT
	29D. FIRST - MUST BE NAME AS 1E -	29E. MIDDLE -	29F. LAST -
	29G. SIGNATURE OF CLERK OR DEPUTY CLERK <i>James D. Becker</i>		
	29H. SIGNATURE OF CLERK OR DEPUTY CLERK <i>James D. Becker</i>		
LOCAL REGISTRAR	30A. NAME OF LOCAL REGISTRAR <i>James D. Becker</i>	30B. SIGNATURE OF CLERK OR DEPUTY CLERK <i>James D. Becker</i>	30C. DATE ACCEPTED FOR REGISTRATION 06/15/2009
	30D. SIGNATURE OF CLERK OR DEPUTY CLERK <i>James D. Becker</i>		

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC HEALTH, OFFICE OF VITAL RECORDS

VS-117 (01/04/2009)

SCANNED
APR 27 2017

STATE OF CALIFORNIA
COUNTY OF VENTURA

CERTIFIED COPY OF VITAL RECORDS

SS.

DATE ISSUED JUN 19 2009

000597265

This is a true and exact reproduction of the document officially registered and placed on file with the VENTURA COUNTY CLERK AND RECORDER.

James D. Becker ASSISTANT CLERK AND RECORDER

Philip J. Schmit
PHILIP J. SCHMIT
COUNTY CLERK AND RECORDER

This copy not valid unless prepared on engraved border displaying the date, seal and signature of County Clerk and Recorder.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

April 15, 2010

ATTN JENNIFER TALMADGE
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: Notice of Change in Water Rights Ownership/37-8248

Dear Jennifer:

I am in receipt of the Notice of Change of Water Right Ownership you recently submitted on behalf of Ann Holden Scott. Because the Snake River Basin Adjudication Court has not yet decreed this claim, no fee is due to process the owner change. I am herein returning your firm's check no. 37449 in the amount of \$25.00.

Thank you and should you have any questions please feel free to give me a call.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

SCANNED
APR 22 2010

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jim@speckandaanestad.com
DOUGLAS J. AANESTAD
doug@speckandaanestad.com

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

RECEIVED

APR 15 2010

**DEPT. OF WATER RESOURCES
SOUTHERN REGION**

April 13, 2010

Ms. Trish Fawcett
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

RE: Notice of Change in Water Rights Ownership / 37-8248

Dear Trish:

Enclosed please find the original and one copy of a Notice of Change in Water Right Ownership for the above-referenced water right. A series of deeds is attached ((1) transferring the property from John McCaw to Ann McCaw individually and then (2) from Ann McCaw individually to Ann McCaw, Trustee of the Ann S. McCaw Revocable Trust) as well as a copy of the owner's recent marriage license indicating her name change from "Ann S. McCaw" to "Ann Holden Scott". A check in the amount of \$25.00 for processing is also enclosed.

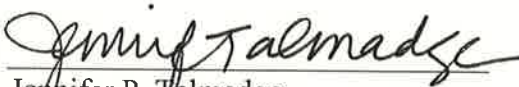
If the documents meet with your approval, please file accordingly and return the conformed copy in the enclosed self-addressed postage-paid envelope. Please let me know if you have any questions or need further information.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By:



Jennifer P. Talmadge

Assistant to James P. Speck

Enclosures

SCANNED
APR 22 2010

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: A37-08248

Date Received: 12/23/1988

Receipt No: C004043 *Rev*

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN MCCAW
Address: 5808 LAKE WASHINGTON BLVD. NE 206-827-4500
KIRKLAND, WA 98033

2. Date of Priority: SEP 20, 1985

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	17E	12	SE	SW	NE		BLAINE

5. Description of diverting works:
HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
RECREATION	01/01	12/31	10.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	17E	12	SW	NE		REC	

11. Place of use in counties: BLAINE

A37-08248

Page 1

Date: 01/13/89

MICROFILMED
FEB 24 1993

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

13. Other Water Rights Used:
NONE

14. Remarks:
Use of water under this right shall be non-consumptive.

15. Basis of Claim: LICENSE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A37-08248

Date Received: 10/03/1988

Receipt No: C004043

Received By: _____

OCT 24 1988

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN MCCAWE
Address: 5808 LAKE WASHINGTON BLVD. NE 206-827-4500
KIRKLAND, WA 98033

2. Date of Priority: SEP 20, 1985

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	17E	12	SE	SW	NE		BLAINE

5. Description of diverting works:
HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
RECREATION	01/01	12/31	10.000		

7. Total Quantity Appropriated is:
10.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	17E	12	SW	NE		REC	

11. Place of use in counties: BLAINE

A37-08248

Page 1

Date: 10/03/88

COPY MICROFILMED
FEB 24 1993

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

13. Other Water Rights Used:
NONE

14. Remarks:

Use of water under this right shall be non-consumptive.
Recreation use is for aesthetic purposes.

15. Basis of Claim: LICENSE # 37-8248

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: 1

For Individuals:

I/~~we~~ do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X *[Signature]* Date: 10-20-88
Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of October 19 88

Barry J. Luborski
Notary Public

Seal

Residing at Ketchum, Idaho
My Commission Expires 1991

SE SW NE

McLAW, JOHN



MICROFILMED

Jones, Doug

From: Jones, Doug
Sent: Friday, September 24, 2010 11:51 AM
To: jim@speckandaanestad.com
Cc: Kelly, Vicki
Subject: 37-8248 McCaw

Jim,

Attached is a draft ADR for your pre-review (before Hobdey et al) that incorporates the high points of the license conditions, but leaves out some of the recitation of Idaho Code. One change in condition of note is the addition of specification that includes the outflow measurement to the measuring requirement. This would seem to address the intent of the objectors to be able to determine losses.

Also attached is a map of the system. Please note that I have modified the spatial shape in our records to show both McCaw's place and the lot to the south now owned by someone else, as was developed and licensed. It would seem appropriate to get that lot owners' name on the recommendation at this point, ahead of decree.

What do you think? We can certainly still modify this before sharing. (I did need to add the conditions on the electronic record to get them printed – so they are open to the public right now).

Doug



37-8248adr.pdf

PS I am working on the ECD and Crist/Dreyer rights as well.

09/24/2010

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

RIGHT NUMBER: 37-8248

NAME AND ADDRESS: ANN S MC CAW REVOCABLE TRUST
ANN HOLDEN SCOTT TRUSTEE
3701 SACRAMENTO ST #174
SAN FRANCISCO CA 94118

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 10.000 CFS

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting and return flow works.

PRIORITY DATE: 09/20/1985

POINT OF
DIVERSION:

T04N R17E S12 SWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION	1/01 12/31	10.000 CFS

Use of water under this right shall be non-consumptive.

Recreation use is for aesthetic purposes.

PLACE OF USE: RECREATION in BLAINE County

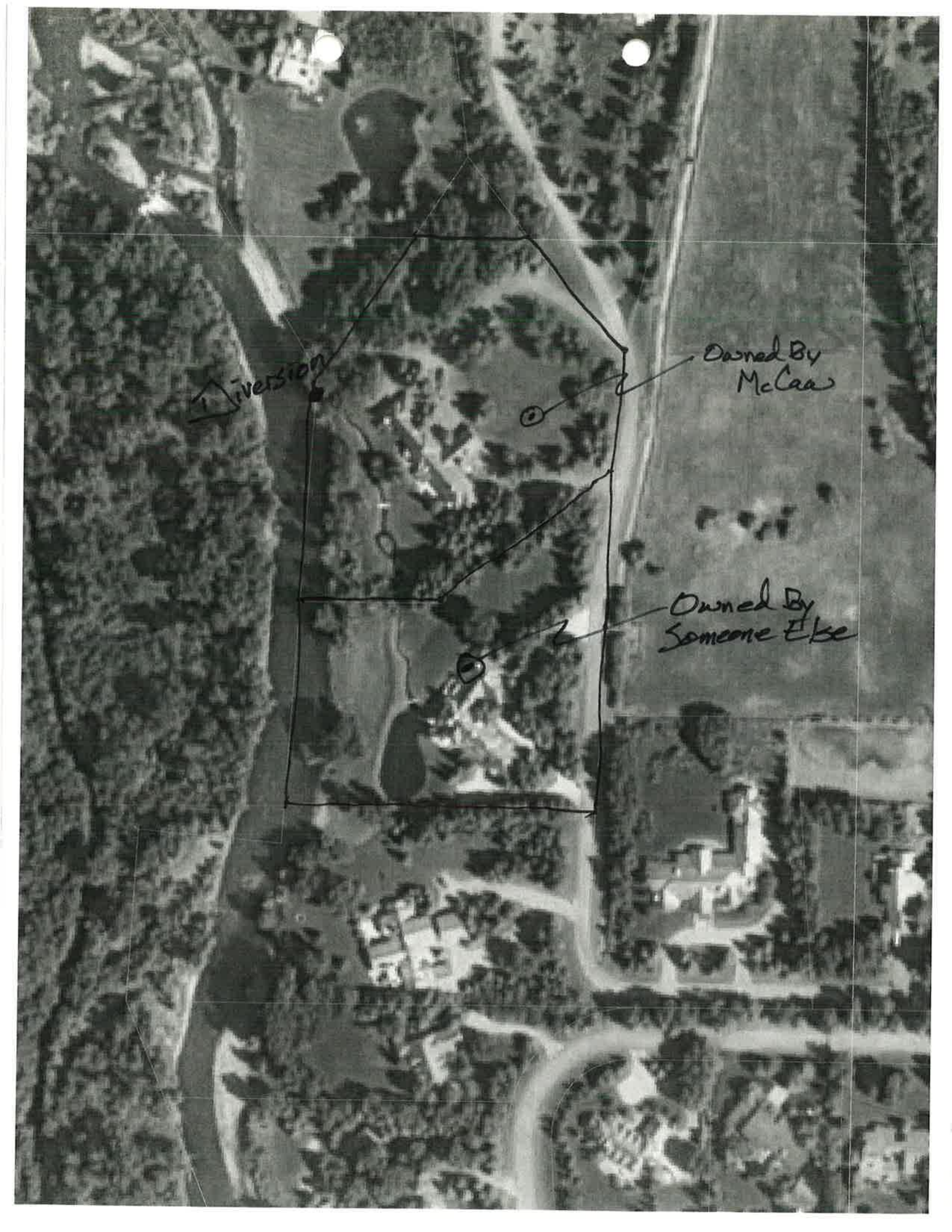
T04N R17E S12 SWNE

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

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

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



A black and white aerial photograph of a wooded area. A hand-drawn polygon outlines a specific section of the land. Two points within this polygon are circled and labeled. The label 'Inversion' is written near the top-left corner of the polygon. The label 'Owned By McCaa' is written to the right of the top-right circled point. The label 'Owned By Someone Else' is written to the right of the bottom circled point. The photograph shows dense trees and some cleared areas, possibly roads or fields.

Inversion

Owned By
McCaa

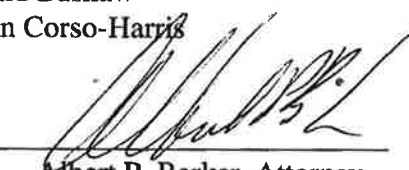
Owned By
Someone Else

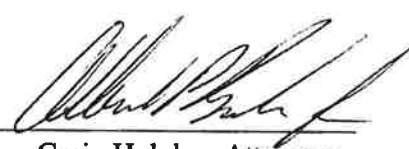
E. REASONS SUPPORTING OBJECTION(S):

- Conditions in license should be included in recommendation, including (1) Measuring and monitoring to ensure non-consumptive use; (2) Right to 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 laws of Idaho. (3) Subject to all prior water rights and may be forfeited by five years non-use. (4) Modifications must be made within limits of Sec. 42-222 of Idaho code. (5) Subject to control by District 37 Water Master. (6) use of right shall be non-consumptive.
- Monitoring of inflow and outflow shall be required.
- Volume of ponds shall be measured annually.

Tom O'Gara
John F. Stevenson
Bill Molyneux
Pete Van Der Meulen
Grace Eakin
Rocky Sherbine
Gerald Bashaw
Pepin Corso-Harris

Big Wood Canal Company

By: 
Albert P. Barker, Attorney

By: 
Craig Hobdey, Attorney

F. VERIFICATION

State of IDAHO)
) ss.
County of Ada)

Albert P. Barker, duly sworn, upon oath, deposes and says:

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)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-8248

Priority: September 20, 1985 Amount: 10.00 CFS

This is to certify, that DAN OLMSTEAD
4621 TELLER AVE. #130
NEWPORT BEACH, CA 92660

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated September 20, 1985, and has submitted proof to the Department of Water Resources on April 21, 1986, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 10.74 cfs of water from;

BIG WOOD RIVER tributary to MALAD RIVER

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>
Recreation	01/01 to 12/31	10.00 cfs	

LOCATION OF POINT OF DIVERSION(S): SWNE , Sec. 12, Township 4N, Range 17E
Blaine County

PLACE OF USE: Recreation

TWN RGE SEC

4N 17E 12 SWNE

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. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
6. Use of water under this right shall be non-consumptive.
7. Recreation use is for aesthetic purposes.

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 21st day of December, 19 87.

MICROFILMED

Director

FEB 29 1988

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-8248

WATER RIGHT NUMBER: 37-8248

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAN OLMSTEAD 4621 TELLER AVE #130 NEWPORT BEACH, CA 92660

Priority Date: 09/20/1985

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION	1/01 to 12/31	10.000 CFS	
	<u>Total Diversion:</u>	10.000 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	SW1/4NE1/4	Sec. 12, Twp 04N, Rge 17E, B.M.
BLAINE County		

Place of Use

RECREATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	17E	12	X				

Conditions of Approval:

1. R39 A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. & DISTRICT.
3. Use of water under this right shall be non-consumptive.
Recreation use is for aesthetic purposes.
4. 016 See remarks for additional conditions of approval.

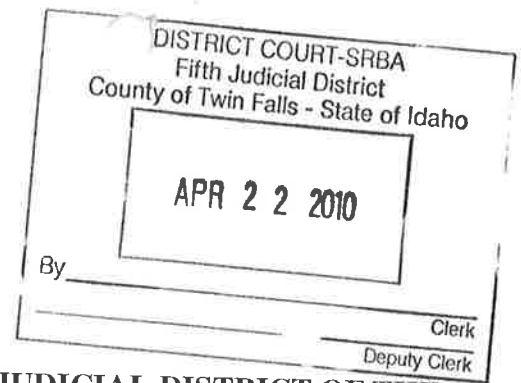
Remarks:Comments:

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-8248

Water Supply Bank:

COPY



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase No. 37-8248

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

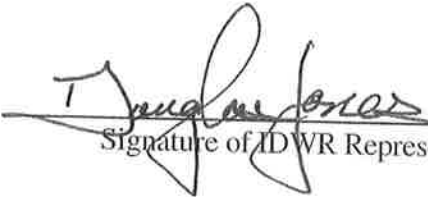
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? [☐]Yes [☒]No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 4/22/10


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4.22, 2010, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Ann S McCaw Revocable Trust
Ann Holden Scott Trustee
3701 Sacramento St #174
San Francisco CA 94118

James P Speck
Speck & Aanestad
PO Box 987
Ketchum ID 83340

Barker Rosholt & Simpson
PO Box 2139
Boise ID 83701

John McCaw
5808 Lake Washington Blvd NE
Kirkland WA 98033

Craig Hobdey
Hobdey & Hobdey
PO Box 176
Gooding ID 83330



Signature of person or attorney mailing the form

04/15/2010

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

RIGHT NUMBER: 37-8248

NAME AND ADDRESS: ANN S MC CAW REVOCABLE TRUST
ANN HOLDEN SCOTT TRUSTEE
3701 SACRAMENTO ST #174
SAN FRANCISCO CA 94118

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 10.000 CFS

PRIORITY DATE: 09/20/1985

POINT OF
DIVERSION:

T04N R17E S12 SWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

RECREATION

1/01 12/31

10.000 CFS

Recreation use is for aesthetic purposes.

PLACE OF USE:

RECREATION in BLAINE County

T04N R17E S12 SWNE

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

RECEIVED

APR 07 2010

DEPARTMENT OF
WATER RESOURCES

Claimant Name:

Anne Holden Scott FKA Anne S. McCaw,
Trustee of the Ann S. McCaw Revocable
Trust

Attorney Name & Address:

James P. Speck, ISB#2067
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 83340
(208) 726-4421
FAX: (208) 726-0752
jim@speckandaanestad.com

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

Case No. 39576

)
)
)
)
)
)

NOTICE OF APPEARANCE

SUBCASE NO. 37-8248

DESCRIPTIVE SUMMARY

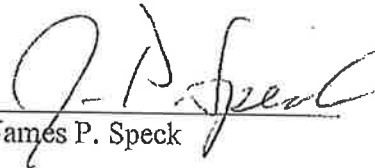
This is a notice of appearance by counsel on behalf of the claimants of the water right identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant Ann Holden Scott FKA Ann S. McCaw, Trustee of the Ann S. McCaw Revocable Trust, for the following water right which is the subject of Subcase No. 37-8248.

DATED this 15th day of April, 2010.

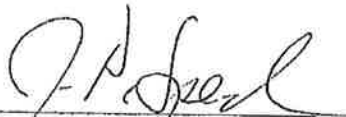
SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 5 day of April, 2010, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

Chief, Natural Resources Division	☒	United States Mail, Postage Prepaid
Office of the Attorney General, State of Idaho	☐	Hand Delivery
P. O. Box 44449	☐	Facsimile
Boise, ID 83711-4449		
The United States Department of Justice	☒	United States Mail, Postage Prepaid
Environmental and Natural Resources	☐	Hand Delivery
Division	☐	Facsimile
550 West Fort Street		
Box 33		
Boise, ID 83724	☒	United States Mail, Postage Prepaid
Idaho Department of Water Resources	☐	Hand Delivery
Document Depository	☐	Facsimile
P.O. Box 83720		
Boise, ID 83720-0098		
Al Barker	☒	United States Mail, Postage Prepaid
Barker, Roshalt & Simpson LLP	☐	Hand Delivery
1010 W. Jefferson St., Ste. 102	☐	Facsimile
Boise, ID 83702		
Craig Hobdey	☒	United States Mail, Postage Prepaid
Hobdey & Hobdey	☐	Hand Delivery
P.O. Box 176	☐	Facsimile
Gooding, ID 83330		


JAMES P. SPECK



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

April 22, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

ANN S MCCAWE REVOCABLE TRUST
ANN HOLDEN SCOTT TRUSTEE
3701 SACRAMENTO ST #174
SAN FRANCISCO CA 94118

RE: SRBA Claim(s) 37-8248

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: James P. Speck
John McCaw
Barker Rosholt & Simpson
Hobdey & Hobdey



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

March 24, 2010

C. L. "BUTCH" OTTER
Governor


GARY SPACKMAN
Interim Director

ANN MCCAW REVOCABLE TRUST
3701 SACRAMENTO ST #174
SAN FRANCISCO CA 94118

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM 37-8248

Dear Ms. McCaw:

The Department has been notified that you may be the current owner of the property to which the above adjudication claim is appurtenant. In order for you to be shown as the current owner in our records, it is necessary for you to complete the enclosed Notice of Change of Water Right Ownership form. Please complete it per the instructions (pages 3 and 4), include the required information listed under item 2 and return everything to this office. Once this packet is received, the changes will be made to our records, and you will be sent confirmation that the change has been completed.

Please note Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department within 120 days of the change. Failing to report these changes could result in a \$100 late filing fee. Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,



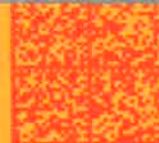
Trish Fawcett
Technical Records Specialist

Enclosures

Resources
Bureau
83720
3720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAL SERVICE
02 1A
0004310839
\$ 01.35⁰
NOV 21 2006
MAILED FROM ZIP CODE 83702

Handwritten initials/signature

37-8248

JOHN MCCAW
5808 LAKE WASHINGTON BLVD NE



INSUFFICIENT ADDRESS

RECEIVED
NOV 29 2006
DEPARTMENT OF
WATER RESOURCES

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES

02 1A

0004310839

MAILED FROM ZIP CODE 83702

\$ 00.87⁰

JAN 08 2007

Handwritten signature/initials

37-8248

37-919

MC CAW JOHN

MC CAW JR JOHN E

WASHINGTON BVD NE



INSUFFICIENT ADDRESS

RECEIVED

JAN 16 2007

DEPARTMENT OF
WATER RESOURCES



01/04/2007

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

RIGHT NUMBER: 37-8248

NAME AND ADDRESS: JOHN MC CAW
5808 LAKE WASHINGTON BLVD NE
KIRKLAND WA 98033

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 10.000 CFS

PRIORITY DATE: 09/20/1985

POINT OF DIVERSION:

T04N R17E S12 SWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

RECREATION

1/01 12/31

10.000 CFS

PLACE OF USE: RECREATION in BLAINE County

T04N R17E S12 SWNE

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

Recreation use is for aesthetic purposes.

Notes

4/28/05

Bruce McCaw is the Claimant of this license on Recreational use for 10.00 cfs. However, I show Ann McCaw Trustee as owner on taxlot info, This Taxlot address is in San Francisco

Need change of ownership if this is the case.
- Jim Speck is the attorney for John McCaw -

Water Right Number - 37-08248 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
OLMSTEAD DAN 1 - 4621 TELLER AVE. #130
2 -
3 -
City- NEWPORT BEACH State- CA Zip- 92660
Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
09/20/1985 17 L - LICENSE

+ - - - - Source - - - - + + - - - - Tributary - - - - +
BIG WOOD RIVER MALAD RIVER

+ - - - - Point of Diversion - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

04N 17E 12 SW NE (13) BLAINE

+ - - - - Water Use - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

46 - RECREATION 01/01 12/31 10.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
10.000 10.740

+ - - - - Place of Use - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

04N 17E 12 SW NE 46 RECREATION (13) BLAINE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - +
Use of water under this right shall be non-consumptive.
Recreation use is for aesthetic purposes.

+ - - - - Conditions of Approval - - - - +
R04 - Use of water under this water right is subject to control by the
- watermaster of State Water District No. 37
R39 - A measuring device and lockable controlling works of a type
- acceptable to the Department shall be permanently installed and
- maintained as part of the diverting works.

FEB 24 1993

MICROFILMED

Field Exam Fee	- R
Swan Falls	-
Temporary Right	- P
DLE/Carey Act	-
Water District	- 37
Transfer/Amended	-

MICROFILMED
FEB 24 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-8248

Priority: September 20, 1985 Amount: 10.00 CFS

This is to certify, that DAN OLMSTEAD
4621 TELLER AVE. #130
NEWPORT BEACH, CA 92660

has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated September 20, 1985, and
has submitted proof to the Department of Water Resources on April 21, 1986, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of 10.74 cfs of water from;

BIG WOOD RIVER tributary to MALAD RIVER

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>
Recreation	01/01 to 12/31	10.00 cfs	
<u>LOCATION OF POINT OF DIVERSION(S):</u>		SWNE , Sec. 12, Township 4N, Range 17E Blaine County	
<u>PLACE OF USE:</u> Recreation			
<u>TWN RGE SEC</u>			
4N 17E 12		SWNE	

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. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
6. Use of water under this right shall be non-consumptive.
7. Recreation use is for aesthetic purposes.

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 21st day
of December, 19 87.

MICROFILMED

Director

FEB 29 1988

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
MAY 01 1987
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Department of Water Resources

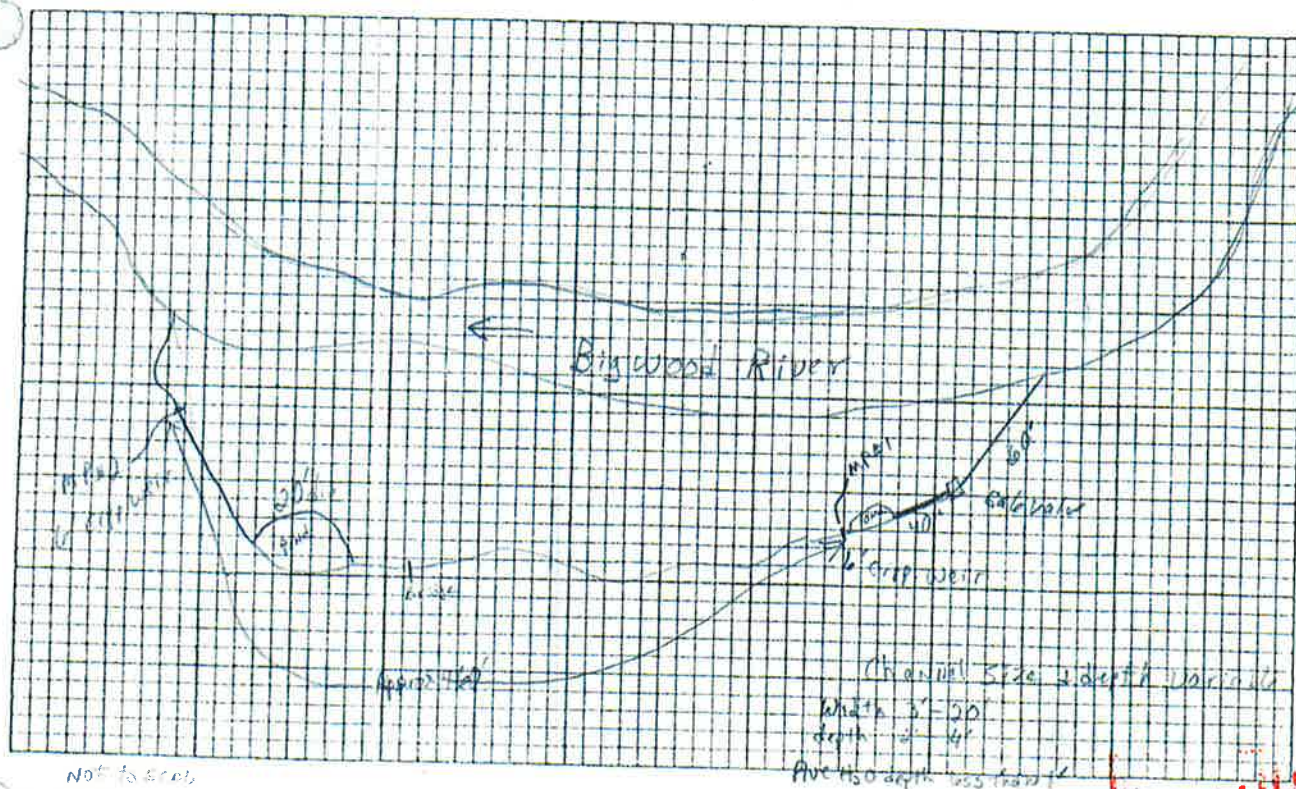
1. Owner: DON Olmstead Phone No. 714-752-6551
Current Address: Suite 130, 4621 Teller Ave. Newport Beach California 92660
2. Accompanied by: Bill Korst EXAM. DATE: 7/10/86
Address: Box 364 Bellevue ID. 83313 Phone No. 782-2862
Relationship to Permit Holder: Contractor
3. Source: Big Wood River tributary to Malad River

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single shallow domestic groundwater, and stockwater)

- ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more)

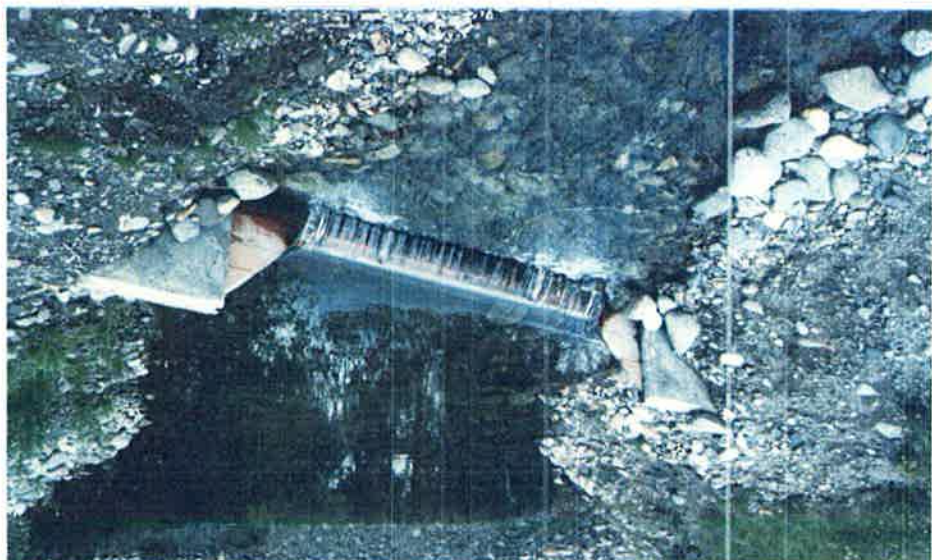
FEB 29 1988

See quad
attached
on back
11/18

8861 62 97
D77110



at left M.D.



37-8248

1000
1000

RECEIVED

Form 6/86 SEP 20 1985

Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 37-8248

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Dan Olmstead Phone 714-752-6551
Post office address Suite 130, 4621 Teller Ave., Newport Beach, CA. 92660
2. Source of water supply Big Wood River which is a tributary of Malad R
Malheur River
3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 12 Township 4 N Range 17 E B.M. Blaine County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 10 cfs. for recreational purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 40 feet of 24" diameter C.M.P. with
a steel headgate will be placed in the existing dike to control the flow
into the old channel.
 - b. Height of storage dam dna feet; active reservoir capacity dna acre-feet; total
reservoir capacity dna acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is dna inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 year years (minimum 1 year).

MICROFILMED

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. -
- b. Stockwatering; list number and kind of livestock. -
- c. Municipal; show name of municipality. -
- d. Domestic; show number of households. -
- e. Other; describe fully. Recreation - aesthetic. Diversion will return water to old 20-foot wide channel blocked by contractor during high water in 1983. This will provide water for trees along channel, and cover the river bed.

MICROFILMED

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	17E	12			R														R

Total number of acres to be irrigated dna

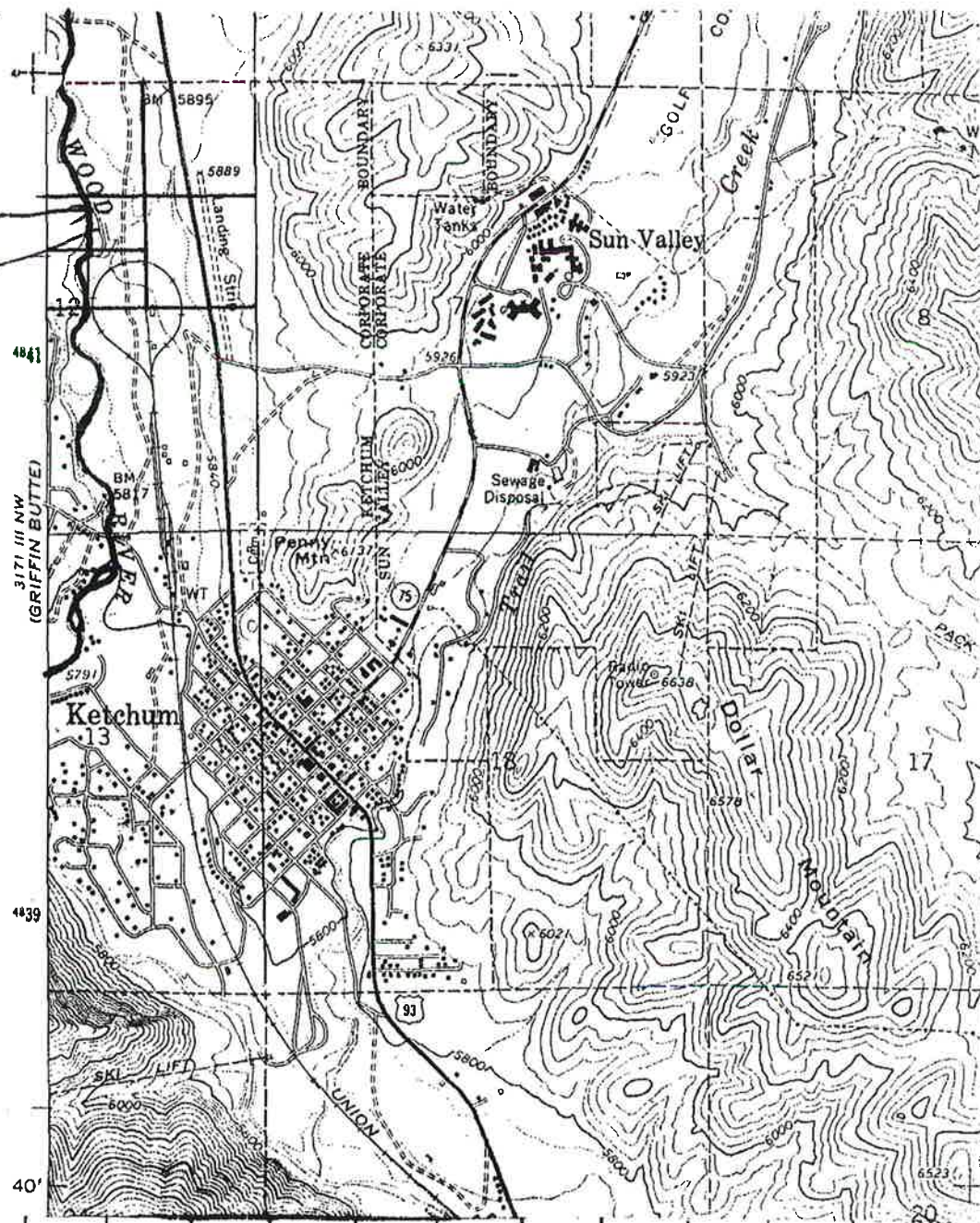
10. Describe any other water rights used for the same purposes as described above. none

11. a. Who owns the property at the point of diversion? Applicant - Dan Olmstead
- b. Who owns the land to be irrigated or place of use? Same
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

12. Remarks: See attached topography map

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. See attached topography map.

Point of
Diversion.
old channel +
Point of use.



Scale: 2 inches equal 1 mile.

MICROFILMED

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.

R. Daniel Omstead Jr.
(Applicant)

Received by eh Date 9/20/85 Time 11:30 a Proposed Priority 20/85 **MICROFILMED**
Fee \$ 225.00 Receipted by marisa # 36742 Date 9/25/85
Publication prepared by marisa Date 10/1/85 Published in Wood River Journal 10/1/85
Publication approved marisa Date 10/9/85 post register 10/7/85
Uniontown Tribune

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-8248, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 87.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

This permit is subject to the agreement dated 12/27/85 between permit holder and protestant(s) to the extent such agreement covers matters within the jurisdiction of the Department of Water Resources.

Use of water under this permit shall be non-consumptive.

Use of water under this permit is subject to control by the watermaster of State Water District No. 37, Big Wood River.

Witness my hand this 27th day of January, 1986.

J. Glen Saylor
Chief, Operations Bureau

LUBOVISKI, WYGLE & FALLOWFIELD

BARRY J. LUBOVISKI
JANET C. WYGLE
ROBERT I. FALLOWFIELD

ATTORNEYS AT LAW
205 GIACOBBI ANNEX
P. O. BOX 1172
KETCHUM, IDAHO 83340

RECEIVED

DEC 23 1988
AREA CODE 208
TELEPHONE 726-8219

Department of Water Resources

December 22, 1988

Idaho Department of Water Resources
Adjudication Bureau
Statehouse Mail
Boise, Idaho 83720
Attn: Ms. Helen Harrington

Re: Notice of Claim of John E. McCaw (No. A37-08248)

Dear Helen:

Pursuant to our phone conversation of December 22, 1988,
enclosed please find our check in the sum of \$25.00 which makes
the total fee paid \$1,050.00 on the above-referenced Notice of
Claim.

Thank you for your courteous assistance.

Sincerely,

LUBOVISKI, WYGLE & FALLOWFIELD

Barry J. Luboviski

Barry J. Luboviski

BJL/sc
Enclosure

C 4043
C 4070
C 4559

MICROFILMED

FEB 24 1993

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME McCaw

CLAIM IDENT. NO. A37-08248

DATE RECEIVED 10/3

CK # 0801

AMOUNT \$ 1026.00

1. Is the name and address complete with zip code? YES NO
2. Is a priority date entered? YES NO
- Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.
3. (a) Is a source entered? YES NO
(b) Is a tributary to entered? (if required) N/A
4. Is the legal description of the p.d. sufficient? YES NO
5. Is there a description of the diverting works? YES NO
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. YES NO
Is the period of use included? YES NO
Is a quantity claimed for each use? YES NO
7. Is a total quantity claimed entered? YES NO
8. If required is a consumptive use entered? N/A YES NO
Is the consumptive use correct? N/A YES NO
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A YES NO
10. Is (are) the place(s) of use and purpose(s) indicated? YES NO
11. Is (are) the county(ies) entered? YES NO
12. Is the ownership of p.u. checked? YES NO
13. Are other water rights listed or "none" indicated? YES NO
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A YES NO
15. Is the basis of the claim indicated? YES NO
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) YES NO
- Has the claim been signed, sealed, and dated by a notary? YES NO
- Was this claim filed on time, or was an extension granted? YES NO
- Is the fee enclosed correct? Exempt YES NO
- If this claim is based on an existing water right, has the identification number been entered? N/A YES NO
- Should this claim be receipted and data entered? YES NO

Claim is fine fee wrong.

Claim checked by: [Signature]

Comments:

Fee = 50.00 (Long form)

10.0 cts at 100\$/cfs = 1000.00

total fee
1050.00
MICROFILMED
FEB 24 1993

paid
10/28

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED

37-8248
37-11474

Nick

204 827-4500

MC CAW
5808 LAKE WASHINGTON BLVD NE
KIRKLAND WA 98033

★ ★ ★ ★ ★
U.S. POSTAGE
1770 PB35
3341 \$00.370 SEP 10
1874 MAILED FROM ZIP CODE

RECEIVED
SEP 20 2004
Department of Water Resources
Southern Region

NOT
DELIVERABLE
UNABLE TO FORWARD
RETURN TO SENDER

