

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 37-20627
Date Received: 1/28/2002
Receipt No: S024574
Received By: D. JONES

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

1. Name of Claimant(s)

LINDA D WOODCOCK Phone: (208)726-7375

PO BOX 2142
KETCHUM ID USA 83340

2. Date of Priority: 04/01/1960

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot				County	Type
01N	18E	1	SW	NW	NW	4	BLAINE	

5. Description of diverting works:

WELL, PUMP, HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.1	

7. Total Quantity Appropriated is:
0.1 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	
01N	18E	1	NW	NW	4	IRRIGATION	5
						Section Acres	5
						Total Acres	5

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:

1/28/2002, DJ: SUBMITTED WITH AFFIDAVITS OF GERALD SHERMAN AND ROBERT BOUTTIER.
PLACE OF USE ALSO DESCRIBED AS LOTS 4 AND 5 SCOFIELD SUBDIVISION. RECEIPT #S024574.

15. Basis of Claim: Beneficial Use

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Ident Number 37-20627
Date Received 1/28/02
Receipt Number 5024574

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JAN 28 2002
Department of Water Resources
Southern Region

1. Name of Claimant(s): Linda D. Woodcock
Phone: 1-208-726-7375
Mailing Address: P.O. Box 2142
Ketchum, ID 83340

2. Date of Priority: April 1, 1960

3. Source of water supply (a) ground water
which is tributary to (b)

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Lot</u>	<u>County</u>
1N	18E	1	SW	NW	NW		Blaine

Additional points of diversion if any:

5. Description of existing diversion works: Well, pump, handlines.

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
irrigation	April 1	October 31	0.1 cfs

7. Total Quantity Claimed: 0.1 cfs

8. Non-irrigation uses:

9. Place of use:

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>TOTALS</u>
1N	18E	1						5											5

TOTALS																			5.0
---------------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	-----

10. Place of use is located in Blaine County.

11. Do you own the property listed above as place of use? Yes.

12. Describe any other water rights used at the same place and for the same purposes as described above?
None.

13. Remarks: The Affidavit of Gerald Sherman and the Affidavit of Robert Bouttier are attached hereto as further support for this beneficial use claim.

Last Name: Woodcock

F:\WPDATA\JIM\Woodcock\Linda\Notice Of Claim.wpd

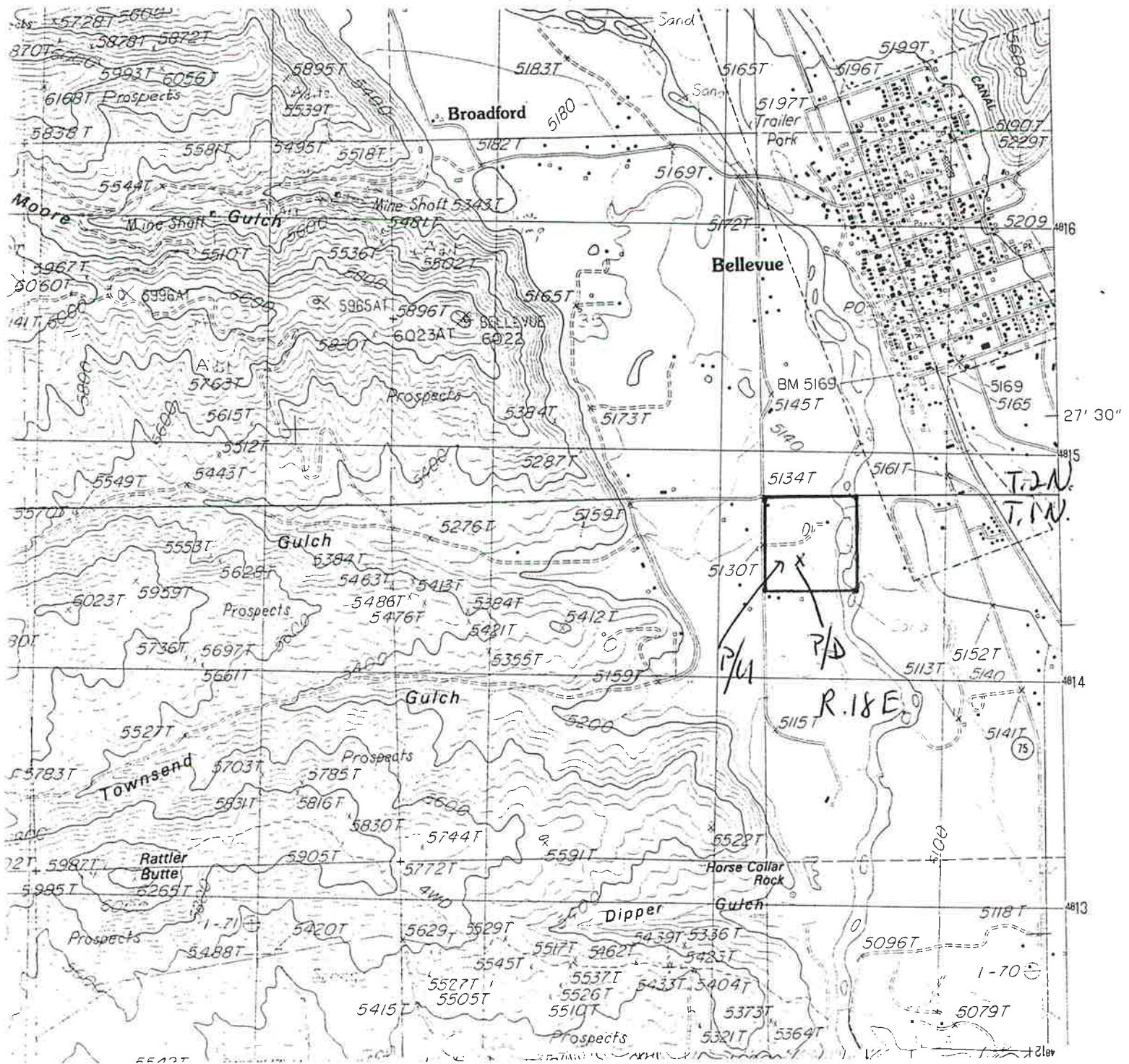
Ident No. _____

8/29/01

MAP OF PROJECT

(Show clearly the point of diversion, place of use, section number, township and range number)

Scale: 2 inches equals 1 mile



Last Name: Woodcock

H:\WPDATA\JIM\WoodcockLinda\Notice Of Claim.wpd

Ident No. _____

8/29/01

14. **Basis of Claim:** Beneficial use

IDWR Water Right Number:

Court:

Case Number:

Decree Date:

Plaintiff v. Defendant:

15. 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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - two (2).

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)

Linda D. Woodcock
LINDA D. WOODCOCK

Date

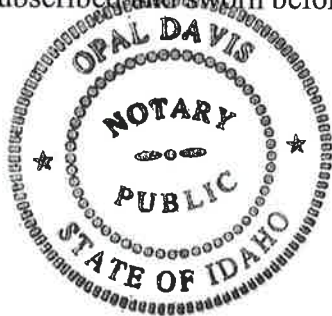
1/24/02

State of Idaho)

) ss.

County of Blaine)

Subscribed and sworn before me this 24th day of January, 2002.



Opal Davis
Notary Public for Idaho

Residing at Rt 1, Box 1210, Fairfield ID

Commission Expires 6/20/07

Last Name: Woodcock

F:\WPDATA\JIM\Woodcock\Linda\Notice Of Claim.wpd

Ident No. _____

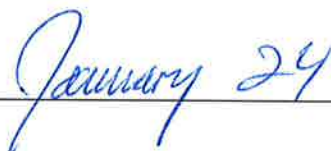
8/29/01

16. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature: 

James P. Speck, Esq., ISB # 2067
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
Telephone (208) 726-4421
Facsimile (208) 726-0752

Date: , 2002.

Last Name: Woodcock

F:\WPDATA\JIM\Woodcock\Linda\Notice Of Claim.wpd

Ident No. _____

8/29/01

09/14/2005

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

RIGHT NUMBER: 37-20627

NAME AND ADDRESS: LINDA D WOODCOCK
PO BOX 2142
KETCHUM ID 83340

VERIFIED BY KKC

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
17.500 AFY

PRIORITY DATE: 04/15/1960

POINT OF DIVERSION:

T01N R18E S1 SWNNW Lot 4 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.100 CFS
17.50 AFY

PLACE OF USE:

IRRIGATION Within BLAINE County

T01N R18E S01 Lot 4 NWNW 5.0

5 ACRES TOTAL

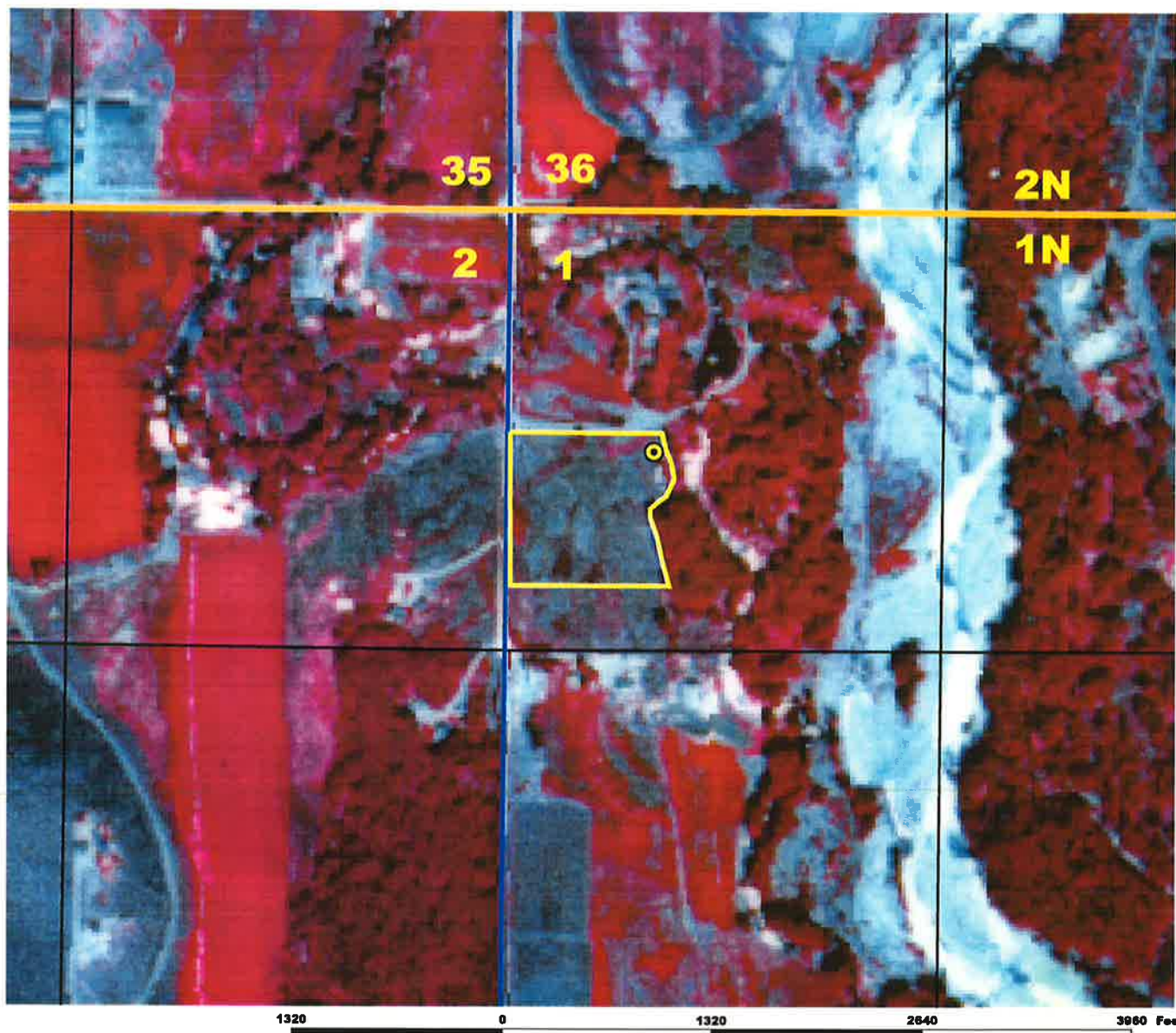
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Beneficial Use

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
37-20627**

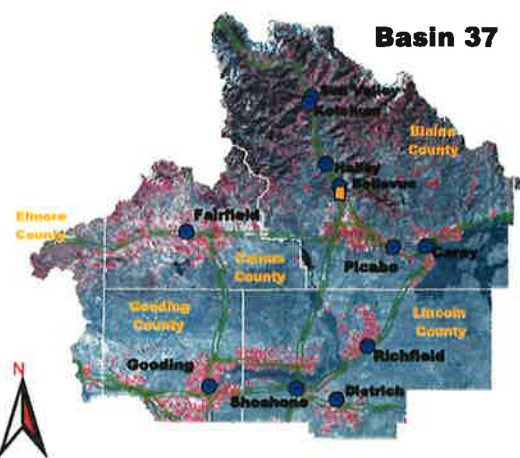


PLACE OF USE
TWP 1N, RNG 18E, SEC 1
 Data entry on Sept 14, 2005

- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- TOWNSHIP LINES
- SECTION LINES
- QUARTER/QUARTER LINES

LOCATION IN BASIN

GIS PLACE OF USE PRESENTATION
 1987/1988 NAPP AERIAL PHOTOGRAPHY
 DATA ENTRY BY KELLY K CHRISTENSEN



File No.
37-20627

Owner
Linda D Woodcock
P.O.Box 2142
Ketchum

Date
6/8/05

Following a couple of days calling I finally made an appointment to meet her property manager Archie Bouttier at noon today so he and I went down Broadford road to Linda's property and I showed him the file and he said the area marked in yellow on color photo in file is ok this looks very good . So we went to the location of the Sub. Irrigation Pump and the depth to the well looked about 7-8 foot down pipe and at this date they have not had to do any irrigation so there was nothing set out and as per Archie he didn't plan to do any for some time due to the rain, he said the pump is about a 7 1/2 HP 50 pounds pressure approx. 50 birds with 9/64 nozels . See GPS

to water level

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Photo look S	Linda 1	2478517	1361395	A0016193	1060605

Lee R. Peterson

6/8/05

720
8792

Place Of Use Data

2004 aerial photo



The yellow outlined shape represents 5 acres as claimed.

archie carter
Boutier 720
8792
hinda
Fax
726 7385

GPS file name	Easting	Northing	Plate No.	Photo Id.

~~X~~ GPS the p
(pump hp, press
about
7/8 hp *up* *50*

approx 50

9/64

sub pump

Date: _____

Contacts Data Entry Form

Claim(s): 37-20627

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

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

Reviewer: _____

Date: _____

Jones, Doug

From: Jim Speck [jimspeck@cox-internet.com]
Sent: Tuesday, May 31, 2005 4:26 PM
To: 'Mr. Doug Jones'
Subject: Re: Woodcock/Water Rights - 37-20627 Priority Evidence

Doug,

Confirming our telephone conversation I believe the SRBA claim file includes affidavits of Robert Bouttier and Glen Sherman which should provide the information IDWR needs to decree the claimed priority date and other elements of this water right.

Let me know if you need anything further.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jimspeck@cox-internet.com

CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2005

X
X
X
X

RESPONSE DEADLINE
JUNE 17, 2005

Re: Evidence of Priority

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures

Claimant's Name:

Linda Woodcock

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**

RECEIVED
JAN 28 2002
Department of Water Resources
Southern Region

**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

)
)
)
)
)
)

**AFFIDAVIT OF ROBERT
BOUTTIER**

DESCRIPTIVE SUMMARY

This is an affidavit in support of a beneficial use right to use ground water for irrigation filed by Ms. Linda Woodcock.

AFFIDAVIT

STATE OF IDAHO)
)ss.
County of Blaine)

ROBERT BOUTTIER, being first duly sworn upon oath deposes and states as follows:

1. I am 58 years old and have been a resident of Blaine County, Idaho since 1973.
2. I am familiar with the property in southern Blaine County now known as the Scofield Subdivision. There is a shallow well, approximately 16 to 18 feet deep, located on what is now Lot

4 of Scofield Subdivision. There is a shallow well, approximately 16 to 18 feet deep, located on what is now Lot 4 of Scofield Subdivision. I used water from this well to irrigate all of the land which is now Scofield Subdivision from 1973 until now. I raised hay by irrigating this land.

3. Since 1981 when Ms. Linda Woodcock acquired Lots 4 and 5 of Scofield Subdivision, I have leased this land to raise pasture grass for my horses. I have used the well to irrigate approximately 5 acres of these slots for that purpose.

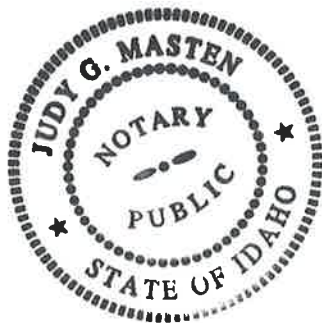
FURTHER, YOUR AFFIANT SAYETH NOT.

Dated this 28 day of November, 2001.


ROBERT BOUTTIER

SUBSCRIBED AND SWORN TO before me this 28 day of November, 2001.


NOTARY PUBLIC for Idaho
Residing in: Blaine County
My Commission Expires: 10/3/07



CERTIFICATE OF SERVICE

I hereby certify that on the January, 2002 day of November, 2001, I served a true and correct copy of the foregoing AFFIDAVIT OF ROBERT BOUTTIER on the following persons in the manner designated below:

Chief, Natural Resources Division
Office of the Attorney General, State of
Idaho
P. O. Box 44449
Boise, ID 83711-4449

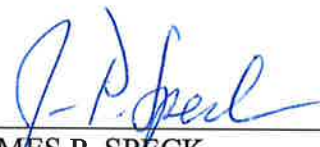
- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid



JAMES P. SPECK

Claimant's Name:
Linda Woodcock

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

RECEIVED
JAN 28 2002
Department of Water Resources
Southern Region

**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

)
)
)
)
)
)

**AFFIDAVIT OF GERALD
SHERMAN**

DESCRIPTIVE SUMMARY

This is an affidavit in support of the claimed priority date for a beneficial use right to use ground water for irrigation filed by Ms. Linda Woodcock.

AFFIDAVIT

STATE OF IDAHO)
)ss.
County of Bonner)

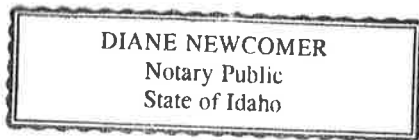
GERALD SHERMAN, being first duly sworn upon oath deposes and states as follows:

1. I am 76 years old and a resident of Clark Fork, Idaho. I lived in Blaine County, Idaho from 1930 until 1982.
2. I am familiar with the property in southern Blaine County now known as the Scofield

Subdivision. There is a shallow well located on what is now Lot 4 of Scofield Subdivision. I used water from this well to irrigate all of the land which is now Scofield Subdivision from 1960 until 1967. I raised pasture grass by irrigating this land.

FURTHER, YOUR AFFIANT SAYETH NOT.

Dated this 28 day of November, 2001.




GERALD SHERMAN

SUBSCRIBED AND SWORN TO before me this 28 day of November, 2001.


NOTARY PUBLIC for IDAHO
Residing in: CLARK FORK ID
My Commission Expires: OCT 26, 2006

CERTIFICATE OF SERVICE

I hereby certify that on the January 1, 2001 day of November, 2001, I served a true and correct copy of the foregoing AFFIDAVIT OF GERALD SHERMAN on the following persons in the manner designated below:

Chief, Natural Resources Division
Office of the Attorney General, State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

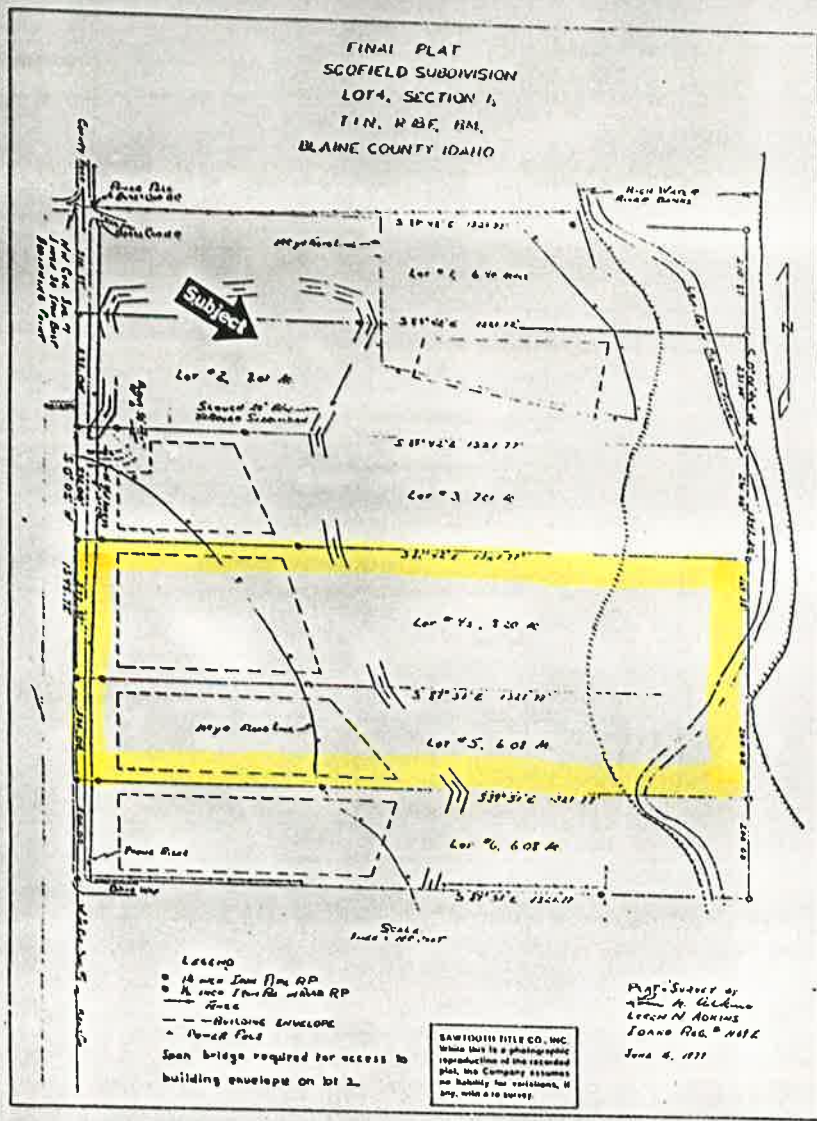
- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

699



Map added to claim
from other IDWR records
1/24/02, D. Jones

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

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

January 25, 2002

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

RECEIVED
JAN 28 2002
Department of Water Resources
Southern Region

Re: Linda D. Woodcock - SRBA Claim for Beneficial Use Water Right

Dear Allen:

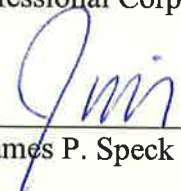
Enclosed you will find the original and one copy each of a Notice of Claim, Affidavit of Robert Bouttier and Affidavit of Gerald Sherman relating to a beneficial use water right on Ms. Woodcock's property. I have also enclosed my firm's check payable to the Department in the sum of \$55 for the normal filing fee. I respectfully request that the late fee be waived in that Ms. Woodcock only recently retained an attorney to assist her with the water rights for this property and it took us some time to gather the information set forth in the Affidavits. If you will not waive the late filing fee, please notify me immediately and I will send an additional check to the Department for that fee.

Please receipt date stamp the enclosed copies of Notice of Claim and Affidavits and return them to me in the postage prepaid self addressed envelope I have included for that purpose.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jgm
cc: Client