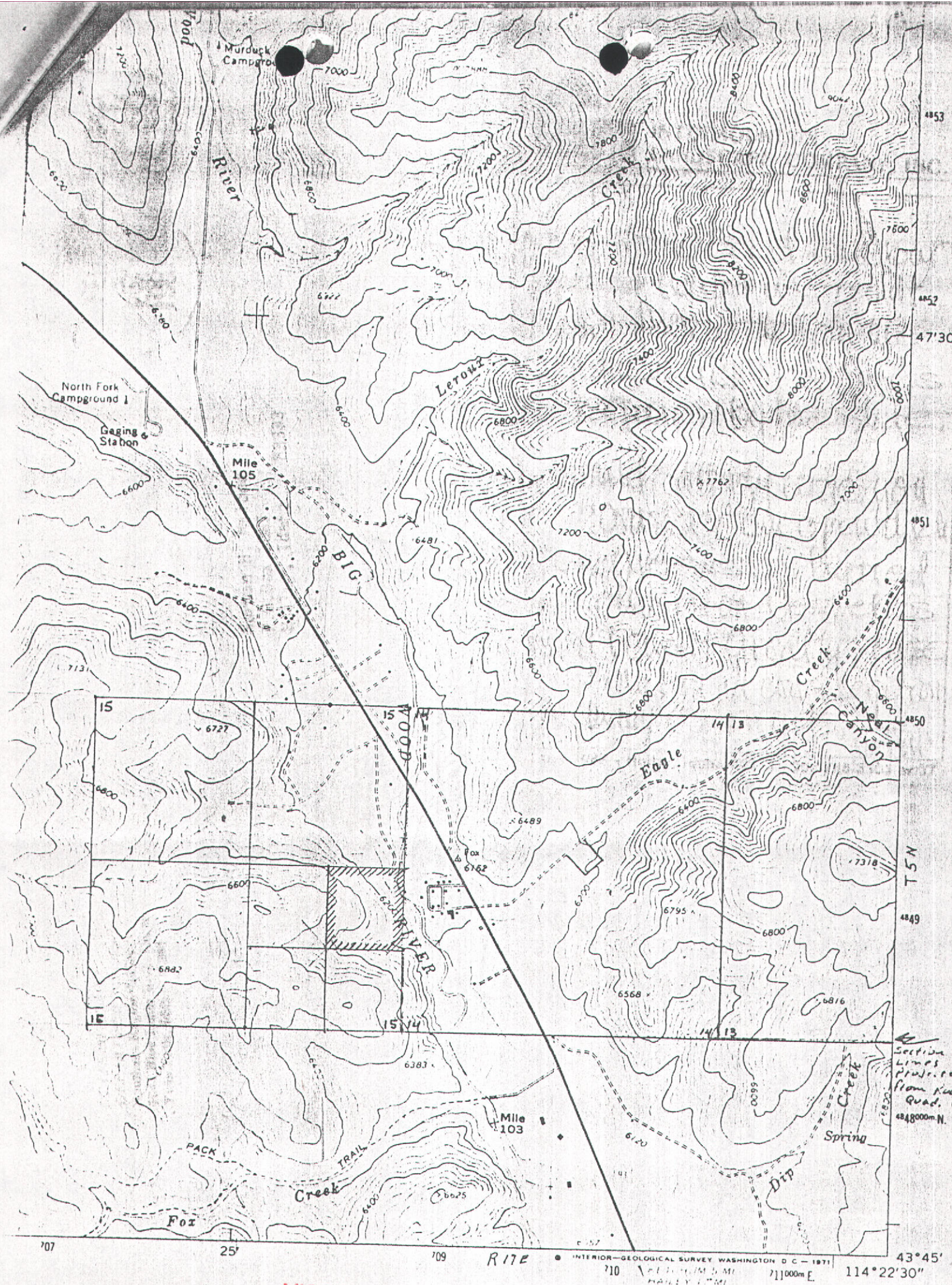




MICROFILMED
FEB 10 2004

ROAD CLASSIFICATION

No. of acres 2.23

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: well was developed initially for res #1. Res #2 was completed in '82 and is also served by this same well. Application is made to have this multi-family well licensed to establish water rights. Permit # 37-7882, approved 6/3/81 for the development of a US Forest Service Lands spring source drainage, has subsequently been developed for domestic purposes serving both residences. The permit issued was for ponds development, to serve irrigation needs as well as benefit wildlife and aesthetics.

NOTE: Include here the type and number of stock watered: none

(7) If you are claiming water as a member of an organization, list name of organization: N/A

The existing well now serves as a back-up domestic source, the primary use being irrigation of the 2.23 acre site. The modified (permit-use) development was reviewed in detail 4/22/83 in Twin Falls with district director Loren Holmes.

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

NOV 21 1986

Department of Water Resources
Salem Region Office

CLINT STENNETT

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 6th day of Nov

19 86, and the date of the last publication was on the 13th

day of Nov, 19 86

Clint Stennett

Subscribed and sworn to before me this 20th

day of November, 1986

(SEAL)

Rabuta McKee

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 11

Number of Lines in Notice 31.5

Number of Insertions 2

Lines tabular at 5¢/Pica

31.5 Lines straight at 13.86 4¢/Pica

31.5 Subsequent lines at 10.40 3¢/Pica

TOTAL COST 24.26

COPY OF NOTICE

(Paste Here)

Not. of Application
TITLE OF NOTICE
#37-8281 Woods

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res.
BILL TO

NOTICE IS HEREBY GIVEN that by virtue of a judgment of the Blaine County Magistrate Court granting plaintiffs a vendors' lien on the real property listed below and a Writ of Execution, dated September, 1986, directed and delivered to me as Sheriff of Blaine County, State of Idaho, on a Judgment in the amount of \$6,685.44, plus interest at the rate of 18 percent per annum from the date of Judgment, August 18, 1986, until paid in full, said Judgment rendered by the Blaine County District (Magistrate) Court of the State of Idaho, I levied on the following items of defendant real property described as:

REAL PROPERTY:

Lot 5, ASPEN HOLLOW SUB-DIVISION NO. 3, Blaine County, Idaho, according to the official plat thereof recorded in Book 16 of Plats, page 12, records of Blaine County, Idaho.

Lawson & Peebles
P.O. Box 297
Ketchum, Idaho 83340
726-5657

FURTHER, PUBLIC NOTICE IS HEREBY GIVEN that I, the undersigned, as Sheriff of Blaine County,

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight 4¢/Pica
7-8 pt. per line tabular 5¢/Pica
7-8 pt. per line successive
insertions 3¢/Pica

MICROFILMED

FEB 10 2004

No 5051

OK MB
11/24/86

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

NOV 17 1986

CLINT STENNETT

Depositor Water Resources
Region 3

being first duly sworn,
deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 6th day of Nov.

19 86, and the date of the last publication was on the 6th

day of Nov., 19 86.

Clint Stennett

Subscribed and sworn to before me this 13th

day of November, 19 86.

(SEAL)

Robert McKee

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 11

Number of Lines in Notice 31.5

Number of Insertions 2

Lines tabular at 5¢/Pica

31.5 Lines straight at 13.86 4¢/Pica

31.5 Subsequent lines at 10.40 3¢/Pica

TOTAL COST 24.26

COPY OF NOTICE

(Paste Here)

Not. of Application
#37-8281 Woods

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Water right app. filed by Woods

NOTICE OF APPLICATION FOR WATER RIGHT

The following application has been filed to appropriate the public waters of the State of Idaho:

37-8281

WOODS, ROY R.

P.O. Box 648

Monterey, California 93940

Source: SPRING trib. to SINKS

Diversion Pt: SESENE Sec. 15,

T05N, R17E; 6 miles North and

2-1/2 miles West of Ketchum.

Use: IRRIGATION (0.040 CFS);

Date Filed: 10/20/1986

In: SENE Sec. 15, T05N, R17E for

1.23 acres

The permit will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 1041 Blue Lakes Blvd. N., Twin Falls, Idaho 83301, on or before NOVEMBER 24, 1986.

KEN DUNN, Dir.

Publish: Wood River Journal—
November 6 & 13, 1986.

7-8 pt. per line straight 4¢/Pica

7-8 pt. per line tabular 5¢/Pica

7-8 pt. per line successive

insertions 3¢/Pica

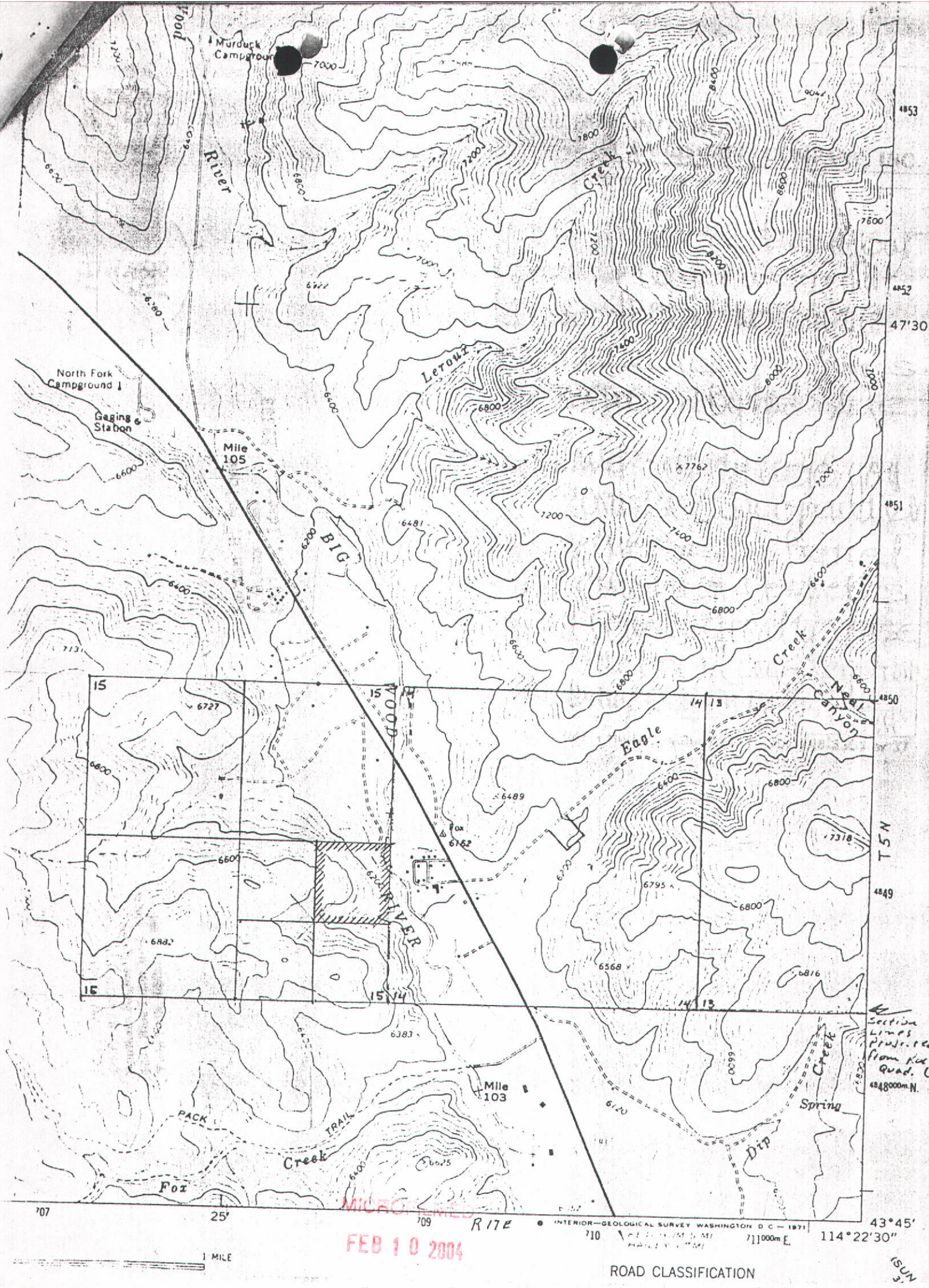
MICROFILMED

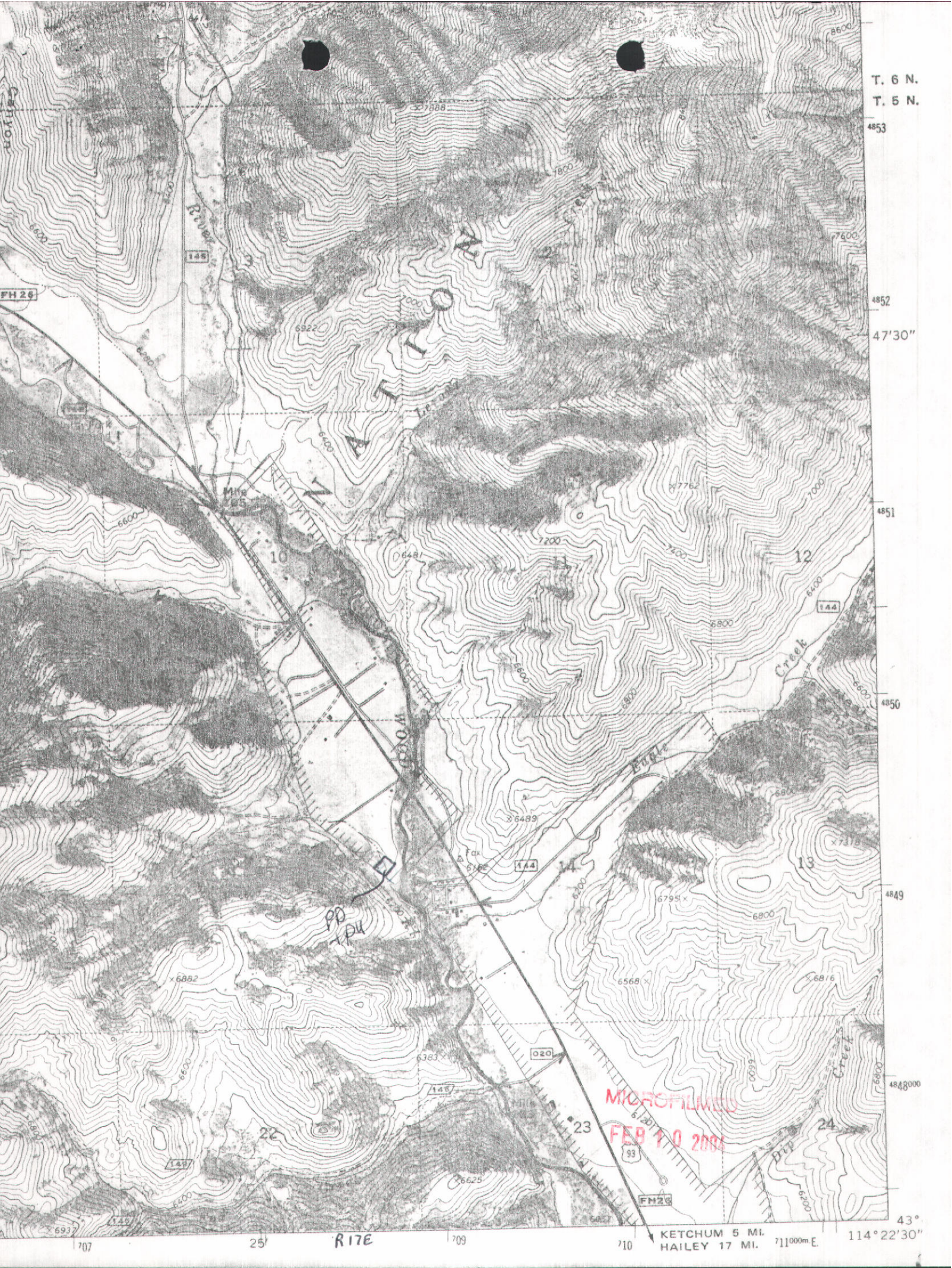
FEB 10 2004

No 5026

Talked to Nancy
11/18/86

Will send new
Affidavit of
Pub





T. 6 N.
T. 5 N.

4853

4852

47'30"

4851

4850

4849

4848000

43°

MICROFILMED
FEB 10 2004

KETCHUM 5 MI.
HAILEY 17 MI. 711000m E.

114° 22' 30"

R17E

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 5026294
Receipt By: MB
Date Received: 11/25/03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
NOV 26 2003

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 37-8281 Telephone No. (208) 726-4421

2. Name of Permit Holder(s): Roy R. Woods

3. Mailing Address: c/o Speck & Aanstad, P.O. Box 987

City Ketchum State ID Zip 83340

4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____

Well Driller: _____ Drilling Permit Number: _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 1.1 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes _____ or No X

Has the measuring device been installed?

Yes _____ or No X

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: James P. Speck, Esq. Telephone Number: (208) 726-4421

Address: P.O. Box 987, Ketchum, ID 83340

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Roy R. Woods by J. P. Speck, his Date: 11-17-03
(include your title, if on behalf of company or organization)

attorney-in-fact

MICROFILMED

FEB 10 2004

RECEIVED

NOV 24 2003

Department of Water Resources
Southern Region

RECEIVED

NOV 26 2003

Department of Water Resources
Southern Region

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 37-08281

Priority: October 20, 1986

Maximum Diversion Rate: 0.04 CFS

This is to certify, that ROY R WOODS
C/O JAMES P SPECK
PO BOX 987
KETCHUM ID 83340

has applied for a permit to appropriate water from:

Source: SPRING

Tributary: SINKS

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	05/01 to 10/31	0.04 CFS

LOCATION OF POINT OF DIVERSION:

SPRING SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 15, Twp 05N, Rge 17E, B.M., BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 17E 15				1.1													1.1

Total Acres: 1.1

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2004**.
2. Subject to all prior water rights.
3. This right does not authorize the irrigation of land not previously irrigated.
4. Rights 37-07882, 37-12205, 37-20809 and 37-08281 when combined shall not exceed the irrigation of 2.1 acres.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 30th day of October, 2003.

MICHAEL WOOD

FEB 10 2004



KARL J DREHER, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 37-8281

RECEIVED

OCT 14 2003

To appropriate the public waters of the State of Idaho

1. Name of applicant Roy R. Woods (owner)
Norman H. Malone (agent)
Post office address (owner) P.O. Box 648 - Monterey, CA. 93940
(agent) P.O. Box 1087 - Hailey, Idaho 83333

owner: 408-624-4281
agent: 788-3303
Phone

2. Source of water supply Unnamed Spring which is a tributary of Sinks
HES 123 Further Legal Unsurveyed - see attached plot of Wood River Estates
3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of N.E. $\frac{1}{4}$ Govt. Lot 5H
Sec. 15 Township 5N Range 17E B.M. HES 123 Blaine County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .04 for irrigation purposes from 5/15 to 10/31 annually (both dates inclusive)
(cfs or acre-feet per annum)
Amount .03 for irrigation purposes from 5/15 to 10/31 annually (both dates inclusive)
(cfs or acre-feet per annum)
Amount .03 for aesthetics purposes from 5/15 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .03 for wildlife habitat purposes from 5/15 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .04 .09 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Revision to permit #37-7882, now to state:

diversion of water from as-built storage cistern by 4" p PVC pipe line to pond, returning the water
to the (downstream) original stream channel by means of an outlet channel from the pond. Small
centrifugal pump to lift water from pond for irrigation purposes

b. Height of storage dam 4 ft. plus or minus feet; active reservoir capacity one acre-feet; total
reservoir capacity one acre-feet; period of year when water will be diverted to storage:

1/1 annually to 12/31 annually inclusive.

c. Proposed well diameter is _____ 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

one years (minimum 1 year).

MICROFILMED

FEB 9 2004

- Water Object 37 and 37 M, Big and Little Wolf River and Oliver Creek. Attached to the original are two computations. It should be noted that the date of this reading was Dec. 31, 1950 which reflects the minimum stream flow for this channel. The water needs (maximum of 13 cfs) applied for are between the dates of mid May thru October (minnall). From October it will be minnall cfs are applied for. This unminnall forest service spring fed stream cfs before reaching the Big Wolf River.



RECEIVED
FEB 10 1986

Chief, Operations Bureau

Witness my hand this _____ day of December, 1986.

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

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.

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.

January 1, 1988

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-8281, and said application is hereby APPROVED

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Proposed Priority 10/20/86
Received by MB Date 10/20/86 Time 1:20 p
Preliminary check by Jerry A. Blue
Fee \$ 30.00/acre
Received by M. Bellman # 38776 Date 10/20/86
Published in 10/20/86 Date 11/6/86 11/13/86
Publication prepared by M. Bellman Date 10/27/86
Published in 10/27/86 Date 11/24/86
Publication approved MB Date 11/24/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

3-708-
RECEIVED
FEB 12 1981
APPROVED
Department of Water Resources
Southern District Office

To appropriate the public waters of the State of Idaho

1-788-3303 agent

1. Name of applicant Roy R. Woods (Norman H. Malone, agent) Phone 1-408-624-4281 or 726-31
Post office address PO Box 648, Monterey, CA 93940 or PO Box 1028 Sun Valley, ID 83353
agent's address: PO Box 1087, Hailey, ID 83333

2. Source of water supply Unnamed Spring which is a tributary of sinks
Forest Service-spring-* unsurveyed-see attached plat of Wood River Estates
3. Location of point of diversion is NE 1/4 of SE 1/4 of Section 15 Township 5N
Range 17E B.M. HES 123 Blaine County, additional points of diversion if any: _____

* Per conversation w/Norman Malone 2-26-81

4. Water will be used for the following purposes:

Amount .03 cfs for irrigation purposes from 5/15 to 10/31 annual (both dates inclusive)
(cfs or acre-feet per annum)

Amount .03 cfs for aesthetics purposes from 5/15 to 10/31 annual (both dates inclusive)
(cfs or acre-feet per annum)

Amount .03 cfs for wildlife habitat purposes from 5/15 to 10/31 annual (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:

a. .09 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. small headgate to be constructed on
applicant's property diverting water to a small pond, returning the water to the
original channel. Small pump to lift water from the pond to irrigate adjacent lawn.

b. Height of storage dam 4 ft plus or feet, active reservoir capacity one acre-feet; total reservoir
capacity one acre-feet, materials used in storage dam: excavated

Period of year when water will be diverted to storage 5/15 to 10/31 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 2 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation: T5N R17E HES 123; see attached plat of subject prop.

(1) Give the place of use of water: NE 1/4 of SE 1/4 of Section 15 Township
Range _____ B.M. _____

(2) Amount of power to be generated: none horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered none

(4) Name of municipality to be served none, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: development of a small pond to irrigate
the adjacent landscape; contribute to the aesthetics of the surroundings and
to complement the wildlife habitat within the surrounding area (Forest Service)

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	17E	15													1				1

Total number of acres to be irrigated one

c. Describe any other water rights used for the same purposes as described above. _____

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

10. Remarks The stream flow measurements were taken by Mr. Reid J. Newby, Watermaster for Water District 37 and 37M, Big and Little Wood River and Silver Creek. Attached to the application are his computations. It should be noted that the date of this reading was December 31, 1980 which reflects the minimum stream flow for this channel. The water needs applied for are between the dates of mid-May thru October, annually. This Forest Service spring fed stream sinks before reaching the Big Wood River.

MICROFILMED
FEB 10 2004

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

PLEASE REFER TO THE ATTACHED DRAWING. Thank you.

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.

MICROFILMED
FEB 10 2004

Roy R. Woods

(Applicant)

Roy R. Woods

Priority

2/12/81

marjya

2/25/81

2:15 pm

Received by marjya Date 2/12/81 Time 2:00 pm

Preliminary check by JS Fee \$ 30.00 # 16852

Receipted by marjya Date 2/26/81

Publication prepared by marjya Date 3/6/81

Published in Wood River Journal

Publication dates 3/12 & 3/26/81

Publication approved marjya Date 3/30/81

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LSH R

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. 37-7882, 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 June 1, 19 83.

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. Other:

(2 1/2 cu. ft. per min for use area
based on 1/2 acre -; or 150 cu.

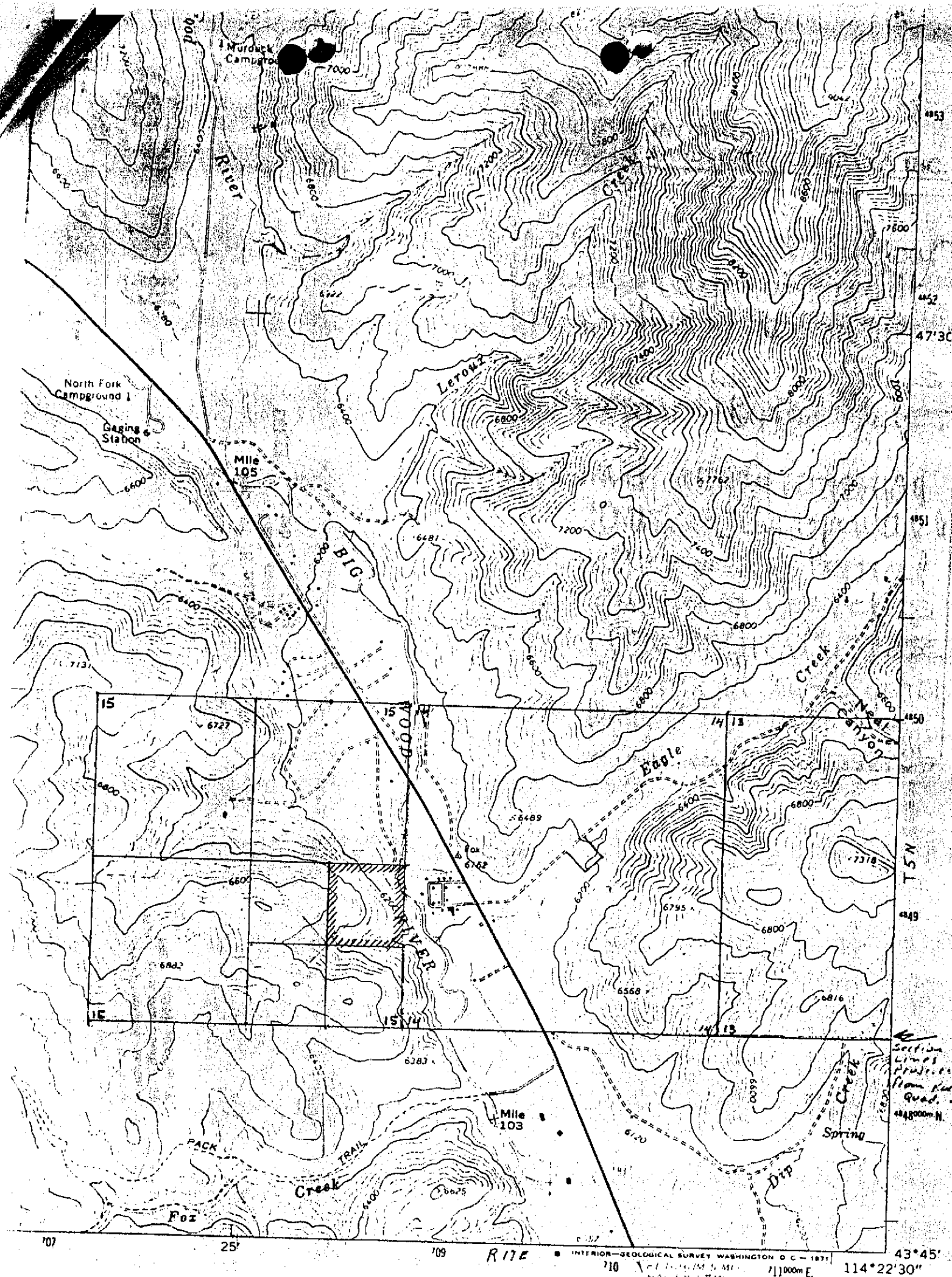
A measuring device and lockable controlling works of a type acceptable ft. per
to the Department shall be permanently installed and maintained as part hr.
of the diverting works.

Use of water under this permit is subject to control by the watermaster of State Water District # 37, Big Wood River.

Witness my hand this 18th day of May, 1981.

A. Glen Saxon
Chief, Operations Bureau

MICROFILMED
FEB 10 2004



No. of acres 2.23

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: well was developed initially for res #1. Res #2 was completed in '82 and is also served by this same well. Application is made to have this multi-family well licensed to establish water rights. Permit # 37-7882, approved 6/3/81 for the development of a US Forest Service Lands spring source drainage, has subsequently been developed for domestic purposes serving both residences. The permit issued was for ponds development, to serve irrigation needs as well as benefit wildlife and

NOTE: Include here the type and number of stock watered: none aesthetics.

(7) If you are claiming water as a member of an organization, list name of organization: N/A

The existing well now serves as a back-up domestic source, the primary use being irrigation of the 2.23 acre site. The modified (permit-use) development was reviewed in detail 4/22/83 in Twin Falls with district director Loren Holmes.

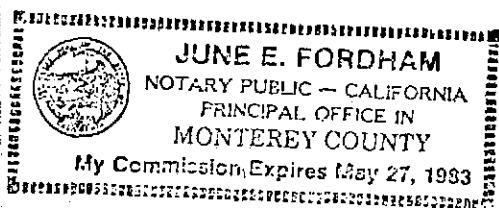
The existing well now serves as a back-up domestic source, the primary use being irrigation of the 2.23 acre site. The modified (permit-use) development was reviewed in detail 4/22/83 in Twin Falls with district director Loren Holmes.

STATE OF CALIFORNIA)

County of Monterey)

ss.

On this 11th day of February, 1981, personally appeared before me the signer of the above instrument known to me as ROY R. WOODS, who duly acknowledged to me that he executed the same.



June E. Fordham
Notary Public for California
Residing at:

MICROFILM

No. of acres 2.23

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: well was developed initially for res #1. Res #2 was completed in '82 and is also served by this same well. Application is made to have this multi-family well licensed to establish water rights. Permit # 37-7882, approved 6/3/81 for the development of a US Forest Service Lands spring source drainage, has subsequently been developed for domestic purposes serving both residences. The permit issued was for ponds development, to serve irrigation needs as well as benefit wildlife and aesthetics.

NOTE: Include here the type and number of stock watered: none

(7) If you are claiming water as a member of an organization, list name of organization: N/A

The existing well now serves as a back-up domestic source, the primary use being irrigation of the 2.23 acre site. The modified (permit-use) development was reviewed in detail 4/22/83 in Twin Falls with district director Loren Holmes.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 29, 2004

ROY R WOODS
C/O SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO 37-8281

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.state.id.us.

If you have questions, please contact the **Southern** Regional Office of the department in Twin Falls (208) 736-3033.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

FEB 10 2004

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 37-8281

Reviewed By: dgibson

Date: January 28, 2004

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		S026294	Well driller's report filed?		
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		11/25/2003
Date proof due	-	02/01/2004
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	10/20/1986
New priority date	=	10/20/1986

Deficiencies of Actions Items

Acknowledge proof.

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

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

November 20, 2003

Idaho Department of Water Resources
Attention: Mary
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301

Re: Roy R./Woods Permit No. 37-8281

Dear Mary:

Enclosed you will find the \$50 check which was omitted from the previous mailing. I apologize for the inconvenience this has caused you.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
Jeanne Farnea, Legal Assistant to
James P. Speck

Enclosure

RECEIVED

NOV 24 2003

Department of Water Resources
Southern Region

FEB 18 2004

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

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(208) 726-0752

November 18, 2003

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

Re: Roy R./Woods Permit No. 37-8281

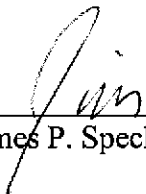
Dear Allen:

Enclosed you will find the original and one copy of the Proof of Beneficial Use for the above-referenced permit together with a copy of the Special Power of Attorney signed by Mr. Woods designating me as his attorney-in-fact. I have also enclosed the \$50 license examination fee for this form. Will you please have your secretary receipt date-stamp the copy of the Proof of Beneficial Use and return it to me in the postage prepaid, self-addressed envelope included for that purpose. Kindly call me right away if you have any questions.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS/jef

Enclosure

cc: Roy Woods w/ encl.
Shelly Keene w/ encl.

RECEIVED
70 8
NOV 20 2003
Department of Water Resources
Southern Region

Nov 19 2003
FEB 10 2004

RECEIVED
NOV 20 2003
Department of Water Resources
Southern Region

**SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)**

ROY R. WOODS, of Monterey, California ("Woods"), designates and appoints JAMES P. SPECK, of Ketchum, Idaho, as Woods' attorney in fact and agent (subsequently called "Agent") to act in Woods' name and for Woods' benefit for the specific purposes stated herein only. Woods grants to its Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as Woods might or could do if personally present and fully competent, hereby ratifying and confirming all that Woods' Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. Woods' agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that Woods now has or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or Woods' Agent and delivered to such person or institution.

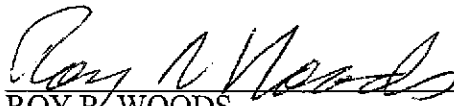
3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to Woods' Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to Woods' Agent shall incur any liability to Woods as a result of permitting the Agent to exercise any power.

5. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

6. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

25th IN WITNESS WHEREOF, Woods has executed this Special Power of Attorney this day of November, 2002.


ROY R. WOODS

RECEIVED

NOV 20 2003

Department of Water Resources
Southern Region

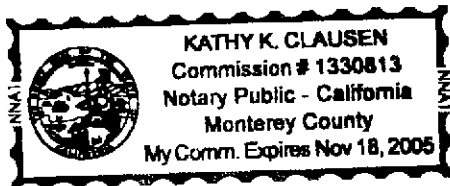
STATE OF CALIFORNIA }

County of Monterey }

ss.

On this 25th day of November, 2002, before me, the undersigned, a notary public in and for said state, personally appeared ROY R. WOODS, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Kathy K Clausen
Notary Public for California
Residing at: 30 Katherine Ave Salinas
Comm. Expires: 11/18/2005

November 30, 2003

ROY R WOODS
C/O JAMES P SPECK
PO BOX 987
KETCHUM, ID 83340

PROOF DUE NOTICE

RE: PERMIT NO. 37-8281

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

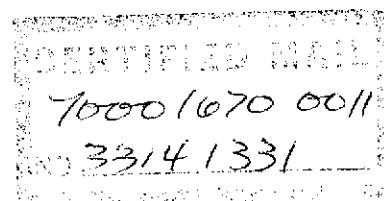
Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MILES 10/1/03

DEC 1 9 2003



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

November 18, 2003

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

Re: Roy R./Woods Permit No. 37-8281

Dear Allen:

Enclosed you will find the original and one copy of the Proof of Beneficial Use for the above-referenced permit together with a copy of the Special Power of Attorney signed by Mr. Woods designating me as his attorney-in-fact. I have also enclosed the \$50 license examination fee for this form. Will you please have your secretary receipt date-stamp the copy of the Proof of Beneficial Use and return it to me in the postage prepaid, self-addressed envelope included for that purpose. Kindly call me right away if you have any questions.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS/jef

Enclosure

cc: Roy Woods w/ encl.
Shelly Keene w/ encl.

MAILED
FEB 10 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 37-8281 Telephone No. (208) 726-4421

2. Name of Permit Holder(s): Roy R. Woods

3. Mailing Address: c/o Speck & Aanestad, P.O. Box 987, II

City Ketchum State ID Zip 83340

4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____

Well Driller: _____ Drilling Permit Number: _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 1.1 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes _____ or No X

Has the measuring device been installed?

Yes _____ or No X

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: James P. Speck, Esq. Telephone Number: (208) 726-4421

Address: P.O. Box 987, Ketchum, ID 83340

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Roy R. Woods by J. P. Speck, his Date: 11-17-03
(include your title, if on behalf of company or organization)

attorney-in-fact

MICHAEL
FEB 10 2004

**SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)**

ROY R. WOODS, of Monterey, California ("Woods"), designates and appoints JAMES P. SPECK, of Ketchum, Idaho, as Woods' attorney in fact and agent (subsequently called "Agent") to act in Woods' name and for Woods' benefit for the specific purposes stated herein only. Woods grants to its Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as Woods might or could do if personally present and fully competent, hereby ratifying and confirming all that Woods' Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. Woods' agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that Woods now has or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or Woods' Agent and delivered to such person or institution.

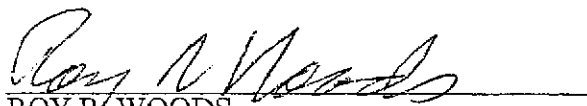
3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

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5. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

6. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

25th IN WITNESS WHEREOF, Woods has executed this Special Power of Attorney this day of November, 2002.


ROY R. WOODS

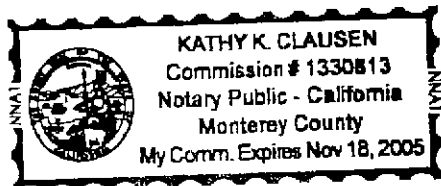
STATE OF CALIFORNIA)

County of Monterey)

ss.

On this 25th day of November, 2002, before me, the undersigned, a notary public in and for said state, personally appeared ROY R. WOODS, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Kathy K Clausen
Notary Public for California
Residing at: 30 Katherine Ave Salinas
Comm. Expires: 11/18/2005

Monterey
FEB 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 31, 2003

ROY R WOODS
C/O JAMES P SPECK
PO BOX 987
KETCHUM ID 83340

RE: Permit No. 37-8281

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

Michael J. [unclear]
APR 10 2004

If you have any questions, please contact me at 208-327-7946.

Sincerely,

for Shelley W. Keen

Shelley W. Keen

Water Rights Supervisor

SWK:klf

Enclosure(s)

Mineral
JAN 10 2008

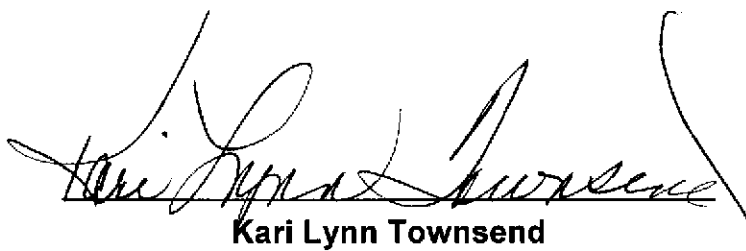
CERTIFICATE OF SERVICE

I hereby certify that on October 31, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

37-8281

**ROY R WOODS
C/O JAMES P SPECK
PO BOX 987
KETCHUM ID 83340**



**Kari Lynn Townsend
Secretary**

MICHAEL L. ...
FEB 10 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Michael J. [illegible]
FEB 13 2006

Comment Report

37-8281

1. mbaldwin 10/6/2003 Protest Withdrawn

Comment: Protest filed in the name of Friends of the Big Wood River was withdrawn 10/1/03.

2. ameritt 10/9/2003 recommendation

Comment: This application was filed in 1986 and advertised but was held due to Swan Falls Litigation prior to approval. In 1990 it was reprocessed which resulted in protest by the Friends of the Big Wood River. Recently it was determined the Friends of the Big Wood River no longer exist or function and we have formally been notified by a past official they no longer wish to protest.

The review in 1990 found the use already exists. Policy would allow approval such a development in light of the Big Wood River Moratorium and the Eastern Snake Plain Area Moratorium.

I recommend approval with conditions as drafted.

3. kwalker 10/27/2003 Permit Review

Comment: This application is filed for pre-1987 development so have limited the time in which to submit proof to 90 days after approval. Have also conditioned this permit when combined with other rights to the irrigation of 2.1 acres that we have substantial documentation that is all that was being irrigated prior to 1987. All documentation regarding the irrigation of 2.1 acres can be found in file 37-20809.

Season of use updated per standards. kw

MBW 10/27/03
FSC 10/27/03

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

WOODS, Roy R.

INITIAL REVIEW BY: T. G. Blau

APPLICATION NUMBER: 37-8281

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: Field ck was done on 37-7882

- ☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. 37-7882, 37-8150, 37-7493
☒ Yes ☐ No* In form for advertising.
☐ Yes ☒ No Final date for protests: _____
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 11/24/86
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.

- ☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 37
☒ Date of priority recommended. 10/20/86
Special conditions of approval or cover letter. 05

Pre-'87 development per Trust Water Questionnaire
Trust water -

By: ADN

Date: 11/25/86

STATE OFFICE REVIEW:

L16

05 (37, Big Wood River) **RECEIVED**

- ☐ See attached sheet for more information.

By: fw

Date: 12/15/86

NOV 28 1986

Department of Water Resources

10/9/03

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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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

October 6, 2003

DOUG BREAREY
PO BOX 1628
HAILEY ID 83333

Re: Pending Applications

37-8765	Woods, Ward
37-8763	Ryan, Ronald
37-8762	North Star Funding Inc.
37-8741	Massaro, Carl
37-8731	Wood, Emer
37-8728	Kendall, Chuck
37-8727	Rose, Donna
37-8725	Mc Atee, Kent
37-8722	Stennett, W. Clinton
37-8709	Gardner, Robert
37-8583	Harrah/Newfoundland Partners
37-8459	Mc Mahan, Kathryn
37-8418	Hayward, Louis
37-8281	Woods, Roy R.

Dear Mr. Brearey:

This office acknowledges receipt of your withdrawal of the protests filed on behalf of Friends of the Big Wood River against the pending applications as listed above.

The Department will continue review of the applications without further contact with you unless information is requested.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

A handwritten signature in black ink, appearing to read 'A. D. Merritt', is written over a horizontal line.

Allen D. Merritt, P.E.
Southern Region Manager

AM:mb
cc: James Speck, Attorney

MICROFILMED

FEB 10 2004

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS
P. O. Box 987
Ketchum, ID 83340
1-208-726-4421
Fax: 1-208-726-0752

RECEIVED
OCT 01 2003
Department of Water Resources
Southern Region

FAX COVER SHEET/MEMO

To:	Mr. Allen Merritt	Fax Copies:	
Fax #:	(208) 736-3037	Fax #'s:	
From:	James P. Speck	Pages:	2, including this cover page
Date:	October 1, 2003	Our File No.	744/960493
Subject:	Roy Woods/Water Rights - Application for Permit 37-8281		

COMMENTS:

Allen -

I spoke too soon!! Here is a letter which I hope will suffice for this and any other pending applications protested by Friends of the Big Wood River! Please let me know. Thanks.

Jim

MICROFILMED

FEB 10 2004

THE INFORMATION CONTAINED IN THIS FAX TRANSMISSION IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE ABOVE-NAMED RECIPIENT AND MAY BE THE SUBJECT OF ATTORNEY/CLIENT PRIVILEGE. IF THE READER OF THIS MESSAGE IS NOT THE ABOVE-NAMED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISTRIBUTION, DISSEMINATION, COPYING OR OTHER USE OF THIS COMMUNICATION IS STRICTLY PROHIBITED AND NO PRIVILEGE IS WAIVED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE. THANK YOU.

OCT-01-2003 WED 10:59 AM SPECK & AANESTAD

FAX NO. 12087280752

P. 02/02

10/01/2003 09:55

1-208-84426

ERIE SCIENTIFIC

PAGE 01

OCT-01-2003 WED 09:41 AM SPECK & AANESTAD

FAX NO. 12087280752

P. 02/02

RECEIVED

OCT 01 2003

Department of Water Resources
Southern Region

October 1, 2003

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

Re: Roy Woods/Application for Permit S7-8281

Dear Allen:

Friends of the Big Wood River no longer exists. Therefore, it will not pursue any previously filed protests to water right matters and any such protests can be deemed to be withdrawn. Please call me at 788-4426 if you have any questions. Thank you.

Sincerely yours,



Doug Brearley

MICROFILMED

FEB 10 2004

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
DONALD E. MITCHELL

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

January 20, 1992

RECEIVED

JAN 22 1992

Department of Water Resources
Southern Region Office

Mr. Loren Holmes
Department of Water Resources
222 Shoshone Street
Twin Falls, Idaho 83301

Re: Application for Permit No. 37-08281
Roy R. Woods

Dear Loren:

I represent Mr. Roy R. Woods, the applicant under application for permit no. 37-08281. I held an initial meeting and corresponded with the Friends of the Big Wood River concerning their protest to the application. We both agreed an on-site meeting would be the best way to informally resolve the protest. However, such a meeting does not make sense until spring or early summer when the snow has melted. I do not believe it is necessary to schedule a pre-conference hearing at this time.

Please call me if you have any questions. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS\dmk

cc: Mr. Roy Woods
Friends of the Big Wood River

MAILED
JAN 22 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

18-Oct-1991

R. KEITH HIGGINSON
Director

ROY R WOODS
PO BOX 648
MONTEREY CA 93940

RE: APPLICATION FOR PERMIT NO. 37-08281

Dear Mr. Woods:

Correspondence in our file indicates that you have received and reviewed copies of protests filed against the issuance of a permit pursuant to the above referenced application. To date our Department has not received a written withdrawal of the protest; therefore, it appears that action by the Department is necessary to resolve the matter.

The attachment to this letter describes the issues which the Department must consider in taking action on an application for permit. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure

MICHELLE L. LAMAR

SEP 20 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

18-Oct-1991

R. KEITH HIGGINSON
Director

ATTN DOUG BREARY
FRIENDS OF THE BIG WOOD RIVER
PO BOX 4411
KETCHUM ID 83340

RE: APPLICATION FOR PERMIT NO. 37-08281

Dear Mr. Breary:

Correspondence in our file indicates that you have been contacted by legal counsel representing the applicant for the above referenced application. To date our Department has not received a written withdrawal of your protest; therefore, it appears that action by the Department is necessary to resolve the matter.

The attachment to this letter describes the issues which the Department must consider in taking action on an application for permit. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,


Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure

MAILED
FEB 10 1992

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

January 14, 1991

Mr. Doug Brearey
Friends of The Big Wood River
Post Office Box 4411
Ketchum, Idaho 83340

COPY

RECEIVED
JAN 16 1991

Department of Water Resources

Re: Roy R. Woods - Application for Permit
No. 37-08281

Dear Doug:

I represent Roy Woods. Mr. Woods has forwarded to me a copy of your protest to the above-referenced Application for Permit. I hope an explanation of the water rights situation on Mr. Woods property will alleviate your concerns.

Mr. Woods has two existing water rights for the springs in question. The first, License No. 37-07493, grants Mr. Woods the right to use 0.1 cfs from the spring for aesthetic purposes with a priority date of May 27, 1976. The water runs in a small stream through Mr. Woods's property and probably sinks before it returns to the Big Wood River.

Mr. Woods also possesses Permit No. 37-07882, which is about to be licensed. The Permit has a priority date of February 12, 1981 and authorizes 0.03 cfs for irrigation of one acre, 0.04 cfs for domestic purposes and 0.03 cfs for wildlife habitat purposes.

The Application for Permit in question (37-08281) merely seeks to use the springs for the irrigation of one additional acre. It would seem this additional irrigation use would have a minimal impact on the Big Wood River and its related ecosystems. It certainly would not seem to conflict with the "local public interest," nor will it reduce the quantity of water under existing water rights.

Mr. Woods and I hope we can amicably resolve your concerns. I will be out of the office until February 1, 1991 and hope that Nick or you will contact me upon my return for an informal discussion.

MICROFILMED

FEB 10 2004

RECEIVED

FEB 21 1991

Department of Water Resources
Southern Region Office

Mr. Doug Brearey
January 14, 1991
Page - 2

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD



James P. Speck

JPS:jal
cc: Mr. Roy Woods
Mr. Tim Luke ✓

WILSON/LEWIS
FEB 13 2001

1-2-91

MR. GARY SPACKMAN
DEPARTMENT OF WATER RESOURCES
3101 N. ORCHARD ST.
BOISE, IDAHO 83702

*Pam
BKSH*



FRIENDS OF THE
BIG WOOD RIVER

RE: Right Number Application 37-08281
Roy R. Woods
Monterey Ca 939400

Please accept this as our formal protest against above mentioned water right application. As stated in our Wet Lands Policy, the Friends feel that these types of applications will have a detrimental effect on the water table, wildlife and health of the spring ecosystem.

Doug Brearey
Doug Brearey
Vice-President
Friends of The Big Wood River

RECEIVED
JAN 04 1991

Department of Water Resources

P.S. Dear Mr. Woods:

It is not our intention to be antagonistic but to help protect these fragile springs, which are ultimately linked to the over all water table and water system. If you have any questions or want to discuss this with us, please feel free to contact us.

cc Mr. Roy R. Woods

MICROFILMED

FEB 10 2004

AFFIDAVIT of PUBLICATION

State of Idaho,

County of Blaine

} ss.

_____, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 19 day of Dec 19 90, and

the date of the last publication was on the 26 day of Dec 19 90.

David J. H.
Subscribed and sworn to before me this 26th day of Dec., 1990.
(SEAL)

Robert H. Ketchum
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____ 11
Number of Lines in Notice _____ 3.75
Number of Insertions _____

Lines tabular at _____ 6c / Pica
33.75 Lines straight at \$18.56 5c / Pica
33.75 Subsequent lines at 14.85 4c / Pica
TOTAL COST \$38.41 5.00 fee

COPY OF NOTICE
(Paste Here)

Woods) subs trusts
water right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

37-08281

DEFENDANT

PLAINTIFF

Dept. of Water
BILL TO Resources
Boise

Woods seeks trust water right

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT
37-08281

WOODS, ROY R.
P.O. BOX 648
MONTEREY, CA 939400000
Source: SPRING
Tributary: SINKS
Diversion Pt: SESENE Sec 15 T
05N R 17E
Use: IRRIGATION (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 10/20/1986
In: T05N R17E S15 SENE
1.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720, on or before JANUARY 7, 1991.

R. Keith Higginson, Director
Publish: Wood River Journal-
December 19 & 26, 1990.

OK
EJL
1-7-91

MICROFILMED

Publication Rates
As of Jan., 1990
(Idaho Code,
Reb. Statutes 1984)
7-8 pt./line straight: .5/pica
7-8 pt./line tabular: .6/pica
7-8 pt./line successive
insertion: .4/pica

No 7429

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

DECEMBER 11, 1990

Wood River Journal
Box 988
Hailey, ID 83333

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 7, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

MICROFILMED

FEB 10 2004

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08281

WOODS, ROY R.
P.O. BOX 648
MONTEREY, CA 939400000

Source: SPRING

Tributary: SINKS

Diversion Pt: SESENE Sec 15 T 05N R 17E

Use: IRRIGATION (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 10/20/ 1986

In: T05N R17E S15 SENE

1.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before JANUARY 7, 1991.

R. Keith Higginson, Director

Published 12/19/1990 & 12/26/1990

MICROFILMED

FEB 10 2004

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: Application 37-8281/Trust Water Processing

DATE: 12-6-90

This application has come up for trust water review and processing. Upon review of the returned trust water information questionnaire and the applicants letter, along with an existing pemrmit owned by the applicant, it appears that the diversion works were in place prior to 1984 and that the 1.23 acres of land under the application was also irrigated prior to 1984.

Based on the information above, the acreage will not count as trust acreage. Due to the post July 1, 1985 filing date though, the application must be treated as a trust water filing. The application will be re-advertised as a trust filing. A re-advertisement fee has not been required since the first advertisement was done inadvertently.

Since the source of water under the application is a spring which sinks before reaching the Big Wood River, and since the irrigation use is less than 2 acres, is incidental to a domestic use, and appears to have been in place prior to 1980, I recommend that the application be approved. I don't believe the use should be considered a new appropriation subject to the administrative directive of prohibiting new irrigation uses from the Big Wood River and tributaries above Magic Reservoir.

MICROFILMED

FEB 10 1991

ROY R. WOODS
P.O. BOX 648
MONTEREY, CALIFORNIA 93942
(408) 373-8558

RECEIVED
DEC 04 1990

Department of Water Resources

December 3, 1990

Mr. Tim Luke
State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

Re: Application for Permit No. 37-8281

Dear Mr. Luke:

In pursuance of our phone conversation today, this letter will confirm the use of water from a spring in your jurisdiction located adjacent to my property in Sun Valley Idaho. I have continuously, since the summer of 1976, irrigated approximately one and one-half acres of land surrounding my home, from the spring. This was done by building a small dam and installing a pump to surface lines and hoses.

In 1979 this was replaced with an extensive system including concrete spring boxes, underground concrete storage tanks and a measuring device to meter the water. Completion was in 1982. In addition a small lake was built to serve as a reservoir to irrigate lawn and trees. It also enhances the aesthetics of the area as well.

The water from the spring does not flow to the Wood River on the surface, it disappears underground before reaching the river.

Enclosed please find correspondence from the State of Idaho Department of Water Resources, also legal description of my property.

Sincerely,


ROY R. WOODS

Enc

RRW;jf

MICROFILMED

FEB 10 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. _____

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

- 1a. Are you the current owner of the land or place of use described under this application? Yes ☒ No ☐
b. If you are not the propoerty owner, please describe the arrangement enabling you to develop the proposed project.
-

- 2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes ☒ No ☐
b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain conditions. You may be asked to verify uses established prior to October, 1984.)
-

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. _____

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. _____

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant Roy R Woods

Date 12-2-90

MICROFILMED

FEB 10 2004

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent the item from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

ROY R WOODS
PO BOX 648
MONTEREY CA 93940

4. Article Number
33551

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee

[Signature]

6. Signature - Agent

[Signature]

7. Date of Delivery

11/29/90

8. Addressee's Address (ONLY if requested and fee paid)

37-8281

*Hand
Tlm
Dew*

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



**PENALTY FOR PRIVATE
USE, \$300**

RETURN TO SENDER Print sender's name, address, and ZIP Code in the space below.

RECEIVED

DEC 03 1990

Water Allocation Bureau
Department of Water Resources
1301 N. Orchard St.
Boise, ID 83705

Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 26, 1990

Roy R. Woods
P.O. Box 648
Monterey, CA 93940

RE: Application for Permit No. 37-8281

Dear Applicant(s):

NOTICE OF PENDING ORDER VOIDING APPLICATION

On October 20, 1986, you filed with the Department of Water Resources (Department) Application for Permit No. 37-8281 which proposed the diversion of 0.04 cubic feet per second of water from an unnamed spring for irrigation of 1.23 acres. Review and approval of the application had been delayed due to the Swan Falls litigation and settlement.

The Department mailed a letter and questionnaire to you on October 23, 1990. The letter requested that you return the Department's questionnaire concerning your present possessory interest in the place of use, any prior development under the application and/or your plans for pursuing completion of the proposed project. The letter notified you that failure to complete and return the questionnaire within thirty (30) days of the date of the letter was cause for the Department to void the application.

The purpose of this notice is to provide a second and final opportunity for you to submit the requested information. Pursuant to Section 42-204, Idaho Code, the Department may void applications for which requested information is not submitted. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order voiding the application pursuant to Section 42-204, Idaho Code.

If no development has been completed as authorized by the application, and you are no longer interested in pursuing the development, please complete and return the enclosed withdrawal form. Please note, if you are using water without an approved permit, the Department may issue an order requiring you to cease diverting the water.

MAIL ROOM

DEC 10 1990

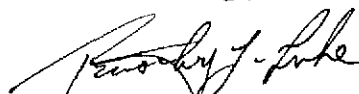
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

Handwritten notes:
M. Luke
7-10-80



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 22, 1990

RE: APPLICATION FOR PERMIT NO. 37-8281

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

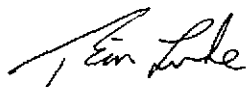
Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to your project if it is more than 200 acres. If necessary, the rule 4,5. information notice will be sent to you after you return the questionnaire.

MAILED 10/23/90
FBI/DOJ

Please feel free to contact me if you have questions concerning this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tim Luke".

TIM LUKE
Sr. Water Resource Spec.

Enclosure
cc: Region

ENCLOSURE

SEP 10 1984

Jim,

As per Glen's
instructions, we need
to hold this ~~app~~
application.

Gary

5-1-90
App. reviewed during
"Hold" drawer inventory -
Per Tim, we should
continue to hold pending
review w/ other '86 apps.
in TRUST Area... KW
S.F. flag changed to "7" per Tim.

112
INTER-DEPARTMENT MEMO — 1

FROM

Glen

DATE

12-15-86

TO

Gary

~~SUBJECT~~ - all the Dept has been approving
and apps involving DCMI uses,
stock uses & non c/u uses.

- While a spring which sinks
likely will have minimal effect
on other uses, the Dept has not
used the parameter of being
non-trib to Snake R in the
approval of apps for any uses

SIGNATURE

FROM

DATE

TO

SUBJECT

- I prefer to hold this
app until we begin processing
pursuant to an effective
Swan Falls agreement. (We do
not now have such an agreement.)



SIGNATURE

INTER-DEPARTMENT MEMO — 1

DATE 12-4-1986

FROM Kay
TO Jim

SUBJECT App. 37-8281

It is my understanding that we cannot approve irreg. apps. that are not filed in connection with a domestic use. I feel this app. should be placed in "hold" drawer. Your opinion?

Also-note in item 4 how they have tried to supplement a period of use on another right - should this be included

SIGNATURE

as a "use" on this app. ?
 EXTENDED PERIOD
FOR AESTHETICS &
WILD LIFE OK.
CONSIDER USE NON-
CONSUMPTIVE

Yes - But LET'S LEAVE IT AS IS. Don't you think this app. is
a candidate for a "retype" prior
to approval since it appears to
be so messy?

Please check it out & talk
to me about it. Thanks!

Kay

AFFIDAVIT of PUBLICATION

RECEIVED
NOV 21 1986
Department of Public Safety
Blaine County Sheriff's Office

State of Idaho, }
County of Blaine } SS.

CLINT STENNETT

being first duly sworn,
deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 16th day of Nov, 1986, and the date of the last publication was on the 13th day of Nov, 1986.

Clint Stennett

Subscribed and sworn to before me this 20th

day of November, 1986.
(SEAL)

Rahutab McKeen

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 11
Number of Lines in Notice 31.5
Number of Insertions 2
Lines tabular at 5/Pica
31.5 Lines straight at 13.86 4/Pica
31.5 Subsequent lines at 10.40 3/Pica
TOTAL COST 24.26

COPY OF NOTICE

(Paste Here)

Not. of Application
TITLE OF NOTICE
37-8281 Woods

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Res.
BILL TO

NOTICE IS HEREBY GIVEN that by virtue of a judgment of the Blaine County Magistrate Court granting plaintiffs a vendors lien on the real property listed below and a Writ of Execution, dated September, 1986, directed and delivered to me as Sheriff of Blaine County, State of Idaho, on a Judgment in the amount of \$6,685.44, plus interest at the rate of 18 percent per annum from the date of Judgment, August 18, 1986, until paid in full, said Judgment rendered by the Blaine County District (Magistrate) Court of the State of Idaho, I levied on the following items of defendant real property described as:

REAL PROPERTY:

Lot 5, ASPEN HOLLOW SUB-DIVISION NO. 3, Blaine County, Idaho, according to the official plat thereof recorded in Book 16 of Plats, page 12, records of Blaine County, Idaho.

Lawson & Peebles
P.O. Box 297
Ketchum, Idaho 83340
726-5657

FURTHER, PUBLIC NOTICE IS HEREBY GIVEN that I, the undersigned, as Sheriff of Blaine County,

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight 4/Pica
7-8 pt. per line tabular 5/Pica
7-8 pt. per line successive
insertions 3/Pica

No 5051

OK MB
11/24/86

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho,
County of Blaine

SS.

NOV 17 1986

CLINT STENNETT

Depositor Water Resources

being first duly sworn,
deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 16th day of Nov

19 86 and the date of the last publication was on the 16th

day of Nov, 19 86

Subscribed and sworn to before me this 13th

day of November, 19 86
(SEAL)

Robert McKenney

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11

Number of Lines in Notice 31.5

Number of Insertions 2

Lines tabular at 5/Pica

31.5 Lines straight at 13.86 4/Pica

31.5 Subsequent lines at 10.40 3/Pica

TOTAL COST 24.26

COPY OF NOTICE

(Paste Here)

Not. of Application
TITLE OF NOTICE
#37-8281 Woods

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Water Resources
filed by Woods

NOTICE OF APPLICATION FOR WATER RIGHT

The following application has been filed to appropriate the public waters of the State of Idaho:

37-8281

WOODS, ROY R.

P.O. Box 648

Monterey, California 93940

Source: SPRING trib. to SINKS

Diversion Pt: SESENE Sec. 15,

T05N, R17E; 6 miles North and

2-1/2 miles West of Ketchum.

Use: IRRIGATION (0.040 CFS);

Date Filed: 10/20/1986

In: SENE Sec. 15, T05N, R17E for 1.23 acres

The permit will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 1041 Blue Lakes Blvd. N., Twin Falls, Idaho 83301, on or before NOVEMBER 24, 1986.

KEN DUNN, Dir.

Publish: Wood River Journal- November 6 & 13, 1986.

7-8 pt. per line straight 4/Pica

7-8 pt. per line tabular 5/Pica

7-8 pt. per line successive

insertions 3/Pica

MISSION STATE

No 5026

Talked to Nancy
11/18/86

Will send new
Affidavit of
Pub

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

OCTOBER 27, 1986

Wood River Journal
P.O. Box 988
Hailey, ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 24, 1986.

Yours truly,

Mary A. Baldwin
Secretary/Office Coordinator

Encl.

MICROFILMED

FEB 10 2004

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KEN DUNN, Dir.

Published 11/06 & 11/13/86.

MICROFILMED

FEB 10 2004



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

October 27, 1986

Ed Nigbor
Blaine Co. P & Z
P.O. Box 149
Hailey, ID 83333

RE: Application for Water Permit No. 37-8281

Dear Mr. Nigbor:

Enclosed for your information is a copy of an application for water permit which has been filed with this office.

If you have any questions or need additional information regarding this application, please feel free to contact this office.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Supervisor

LH:MB

Enclosure

MICROFILMED

FEB 10 2004



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

October 27, 1986

Reid Newby
Watermaster, #37
Box 1
Shoshone, ID 83352

RE: Application for Water Permit No. 37-8281

Dear Mr. Newby:

Enclosed for your information is a copy of an application for water permit which has been filed with this office.

If you have any questions or need additional information regarding this application, please feel free to contact this office.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Supervisor

LH:MB

Enclosure

MICROFILMED

FEB 10 2004



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

A. Kenneth Dunn
Director

October 27, 1986

Roy R. Woods
P.O. Box 648
Monterey, CA 93940

Re: Application for Permit No. 37-8281

Dear Mr. Woods:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 37-8281. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Wood River Journal on 11/6 & 11/13/86. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Enclosed please find your receipt no. 38776 for the amount of \$30.00.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours, .

Loren O. Holmes, M.P.E.
Southern Region Supervisor

LOH:mb



RECEIVED

OCT 20 1986

INTERMOUNTAIN
LANDSCAPE COMPANY, INC. RESOURCES

Terry Blay, State of Idaho

TO Dept. Water Resources DATE 10-17-86

FROM Norm Malone, agent for Roy R. Woods

SUBJECT New Application for Permit - Addit'l. Water

Terry:

In follow-up to your 9.22.86 letter to me requesting:

- (1) Completion of the above subject permit, and
- (2) submittal of an accompanying filing fee of \$ 30.00;

I am with this memo and enclosed particulars, responding with all of the above.

Anticipating the prompt processing of this new application, I am, of course, available to assist with any additional information you may need toward that end.

Respect fully,

Norman H. Malone

September 22, 1986

Norman H. Malone
P.O. Box 1087
Hailey, ID 83333

RE: New application for Permit

Dear Mr. Malone:

I am returning the application per our telephone conversation on 9/22/86.

You need to complete the form and send us a filing fee of \$30.00 in order to start processing of this application.

If you have any questions or if we can be of further assistance, please contact this office.

Sincerely,

Terry G. Blau
Sr. Water Resource Agent

IB:MB

Enclosure

MICROFILMED

FEB 10 2004

RECEIVED

SEP 16 1986

INTERMOUNTAIN
LANDSCAPE COMPANY, INC.

Department of Water Resources
Southern District Office

Norman H. Malone, President

Revised
Permit # 37-7882
Application for
Additional Irrigation Water

September 15, 1986

Mr. Terry Black
State of Idaho
State Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Dear Terry:

Thank you for sending the Application for Permit,
in follow up to our September 11, telephone dis-
cussion.

Per your recommendation, I have, as agent for
Mr. Roy R. Woods, completed same for additional
irrigation water. The amount applied for is .04 cfs.;
.03 cfs. was approved earlier, with the approval
of permit no. 37-7882.

The combined total is .07 cfs. for irrigation, .03 cfs.
for aesthetics, and .03 cfs. for wildlife habitat. That
earlier approved permit (copy of), is enclosed, along
with the new permit application for additional water.

Respectfully,
Norman H. Malone

Michael Malone

copy: Roy R. Woods, owner, with enclosures

Post Office Box 1087 Hailey Idaho 83333

208-788-3766 or 3303



Res. Phone 886-2330
Office Phone 886-2451

31, 1980

Sample

nga

at HES. 123 T. 5N R. 17E

1 Hour @ \$25.00 Per Hr. 25.00

36 miles @	13.25	9.00
------------	-------	------

Total	\$34.00
-------	---------

Paid 12-31-80

Rand Kewley

Read Hewley
Hydrographer

Reddick

$$9.0 \times 2.85 = 25.65 \text{ gals per}$$

2.85 mls x 9.941 per min

:057 c.f.s.	2.8'	1 inch-es
-------------	------	-----------

10/10

.057

FEB 10 2004

[illegible]

Date rated 6-24-74 Used rating _____
for rod susp. Meter ft.
above bottom of wt. _____
Wading, cable, ice, boat, upstr., downstr.,
side passage Quartz upstream
1-1-74 feet, mile, above,

[illegible]

Station Number Stream - LUNARNA 123 Springs

Date 12-31 1980 Part Reid J. Newby

Width 1.8 Area — Vel. — G.H. — Disch. .057

Method 6 No. secs. 6 G.H. change — in — hrs. Susp. Red

Method coef. — Hor. angle coef. — Susp. coef. — Meter No. R-751

GAGE READINGS			
TIME	RECURSED	INSIDE	OUTSIDE

WEIGHTED M.G.H.

G.H. CORRECTION

CORRECT M.G.H.

Measurement rated excellent (2%), good (5%), fair (8%), poor (over 8%), based on following conditions: Cross section

Flow Open Weather clear - cold

Other None Air °F @

Gage None Water °F @

Control Current Record removed None Intake flushed

Remarks Location 9 Springs

15N, R 17E HES 123

Measured for Norm Malone

G.H. of zero flow in. Malone Present

Reid Newby

ANGLE COEFFICIENT	DIST. FROM INITIAL POINT	WIDTH	DEPTH	REVOLUTIONS	TIME IN SECONDS	VELOCITY AT POINT MEAN VELOCITY	ADJUSTED FOR HOF. ANGLE OR	AREA	DISCHARGE
	Right Bank								
	0	.2	0	0	40	0		0	.90
	.4	.4	.22	5	63	.122		.089	.92
	.8	.4	.22	5	40	.146		.089	.94
	1.2	.4	.30	7	40	.213		.120	.96
	1.6	.3	.10	7	51	.177		.030	.97
	1.8	.1	0	0	40	0		0	.98
	Left Bank								
					3.15 pm				.99
						.057 c.f.s.		2.85 inches	1.00
						2.85 m/s		9.0 gal per min	
						9.0 x 2.85 =		25.45 gals per min	
									.995
									.998
									.97
									.96
									.94
									.92
									.90

Reid Newby

HES 123
CORNER 3

U. S. FOREST SERVICE

UNPLATTED
SINCE DIVISION PART
RECEIVED PLAT

Block 1

N 54° 07' 00" W 101.13
N 51° 16' 00" W 321.12

SUBJECT PROPERTY
T5N R1E HES 123

COMMENCING AT CORN. #3 OF HES 123

THENCE N51°16'00"W 180.52' to pt. of beginning
THENCE N51°16'00"W 282.46'
THENCE N38°44'00"E 325.0'
THENCE S51°16'00"E 321.12'
THENCE S45°31'00"W 327.29'

CANCEL TL 4000
CONTAINS 2.23 ACRES INST. # 140921
TAX LOT 4312

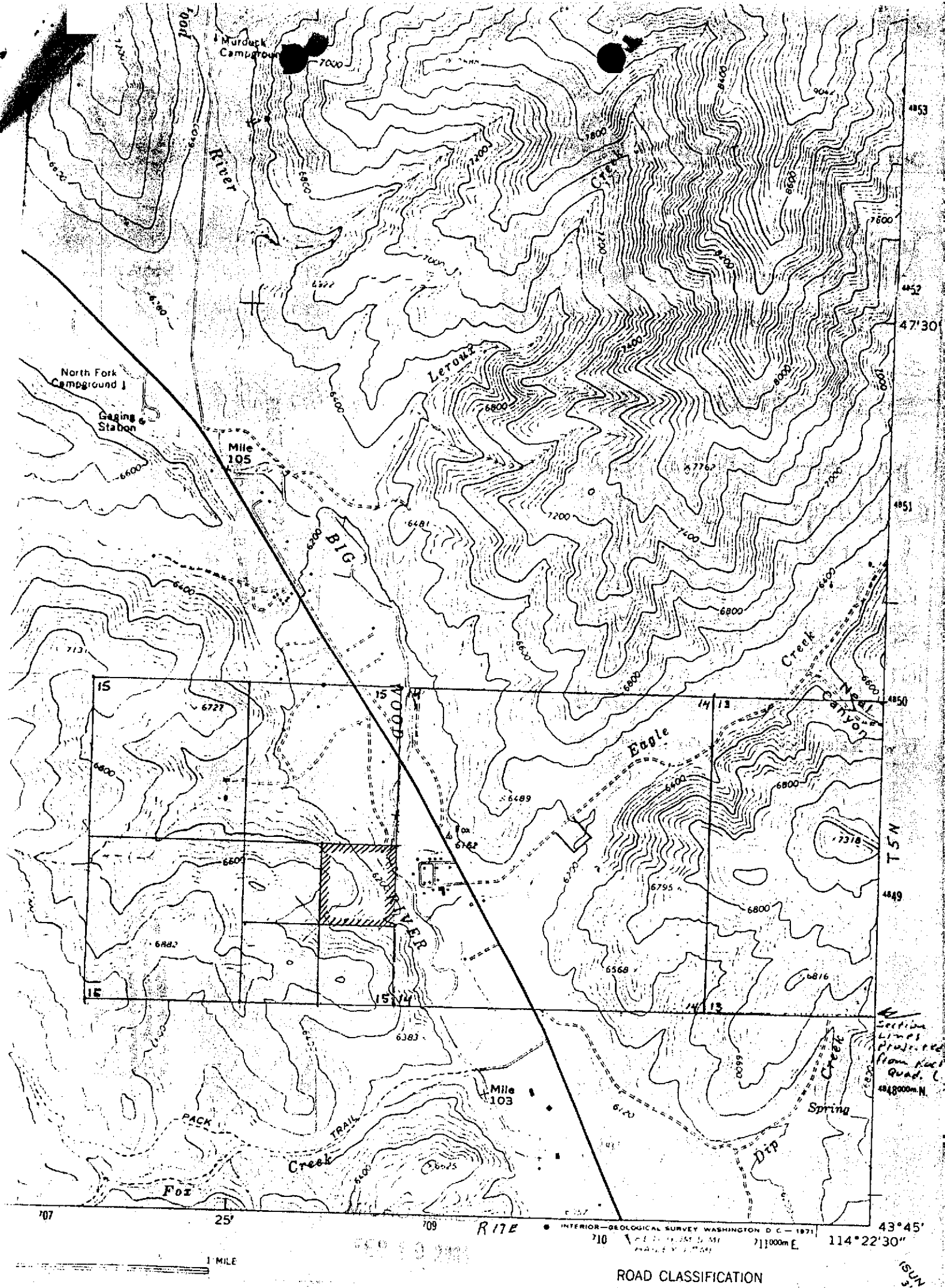
NORTH

150 100 50 0

SCALE IN FEET

4000 RIVER ESTATES
PREMIUM

TRACING FROM OFFICIAL
PLAT ON FILE IN ASSASSIN
OFFICE - BUREAU OF L&T, WASH.



2'30

114°22'30"

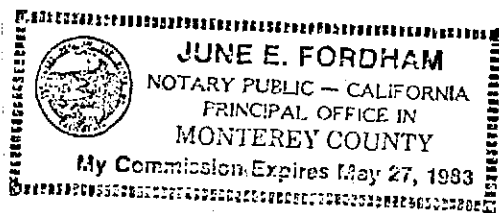
1994 10 20

STATE OF CALIFORNIA)

County of Monterey)

ss.

On this 11th day of February, 1981, personally appeared before me the signer of the above instrument known to me as ROY R. WOODS, who duly acknowledged to me that he executed the same.



June E. Fordham
Notary Public for California
Residing at:

NOTARIAL SEAL
FEB 10 1981