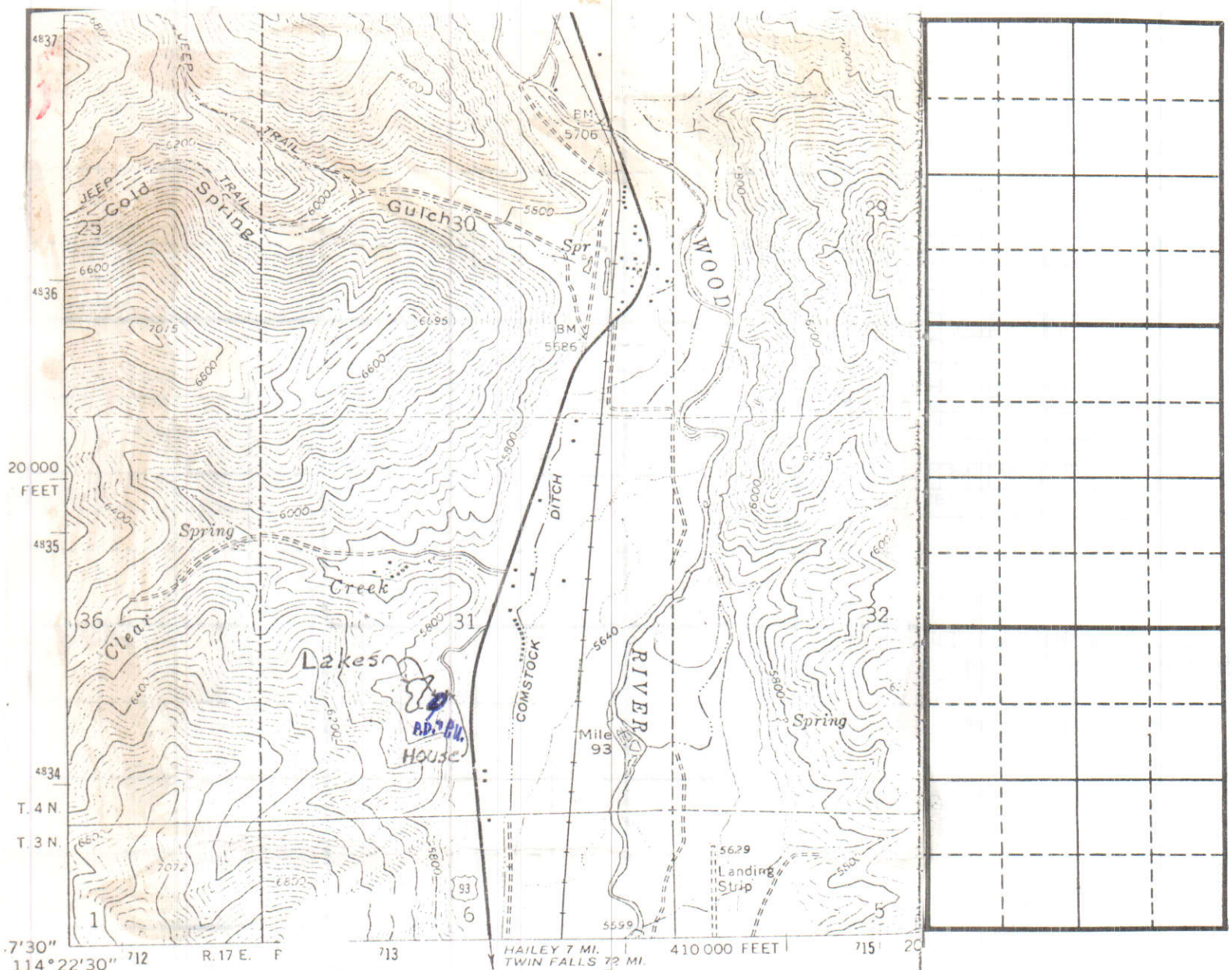


(8) Remarks None.



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Blaine) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 15th day of November October, 19 79.
Michael S. Engl (Claimant)

Notary Public
Residing at

James P. Speck
Ketchum, ID

My commission expires Jan. 1981

FOR DEPARTMENT USE ONLY

Received by <u>maria</u>	Date <u>11-19-79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>jo</u>	Date <u>11-19-79</u>		claimant by:	
\$20.00 fee received by <u>maria</u>	Date <u>11-19-79</u>			
Published in <u>Wood River Journal</u>				
Dates <u>12/6 + 12/13/79</u>				

AFFIDAVIT PUBLICATION

State of Idaho, }
County of Blaine } SS.

GORDON O. GLASMANN

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 6 day of December, 1979, and the date of the last publication was on the 13 day of December, 1979.

[Signature]

Subscribed and sworn to before me this 14th day of December, 1979.
(SEAL)

[Signature]

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice 35
Number of Insertions 2
Lines tabular at 39c
35 Lines straight at 26c
35 Subsequent lines at 15c
TOTAL COST 14.35

ok macy 12/26/79

COPY OF NOTICE

(Paste Here)

Permit 37-4131

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue Lakes Blvd N
Twin Falls, Idaho 83301

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

37-4131

Engl, Michael S.
P.O. Box 2500, Sun Valley, Id. 83353
Source: Unnamed Springs tributary to Big Wood River

Priority Date: 06/01/1938
Amount: 0.04 cfs, 2.0 ac-ft
Diversion Point: NESW Sec 31 T 04N R 18E, Blaine County
Use: Irrigation--(0.04 cfs) from 04/01 to 10/15

Fish Prop.--(2.0 ac-ft) from 01/01 to 12/31

Recreation--(2.0 ac-ft) from 01/01 to 12/31

Place of Use: NESW Sec 31 T 04N R 18E for 2 acres

Diversion Means: Small man-made lake and pump.

Any exception to any claim to water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

C. Stephen Allred
Director

Publish: Wood River Journal--December 6, 1979

RECEIVED

No 26 1135

Department of Water Resources
Southern District Office
MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

DECEMBER 27, 1979

MICHAEL S. ENGL
P.O. BOX 2500
SUN VALLEY

ID 83353

RE: Claim No. 37-4131

Dear Claimant:

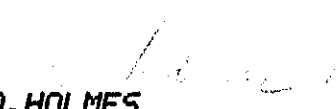
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,


LOREN O. HOLMES
Southern Region Supervisor

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Michael S. Engl
(Name of Claimant)
P.O. Box 2500, Sun Valley, Idaho 83353 Telephone No. 726-5032
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1938

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Numerous unnamed springs tributary to Big Wood River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.04 cfs</u>	Use	<u>irrigation</u>	Period of Use From	<u>4/1</u> To <u>10/15</u>
Quantity	<u>2.0 AF</u>	Use	<u>fish & recreation</u>	Period of Use From	<u>1/1</u> To <u>12/31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .04 cfs, 2.0 AF TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 31 Twp. 4N Rge. 18E B.M., County of Blaine
Additional points of diversion: None

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Numerous springs are located in bottom of a small lake, the outlet of which flows into and forms a smaller 2nd lake adjacent to a residence. The residence and 2nd lake were constructed in June, 1938. Storage capacity of 2nd lake is approximately 2.0 AF. Residential irrigation is performed by pumping water from outlet of 2nd lake onto residential landscaping.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

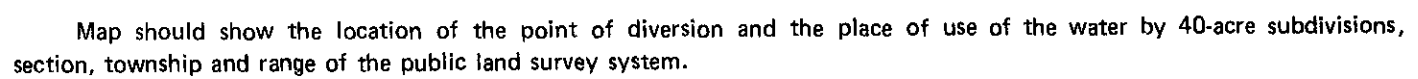
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	18E	31									2								2 acres

No. of acres 2

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: The lake has been used for recreational boating and propogation of fish.

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization: None.



Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

matters and facts therein are true to the best of the


Michael S. Engel (Claimant)

My commission expires Jan 1951

Received by Marya Date 11-19-79 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by Jo Date 11-19-79 claimant by: _____
 \$20.00 fee received by Marya Date 11-19-79 / 3395
 Published in Wood River Journal _____
 Dates 12/6 + 12/13/79 _____

Department of Justice
Southern District Office

WATER RIGHT NUMBER 37-4131

WATER RIGHTS EDIT REPORT

11/23/79

PAGE 6

ACT
ION

N OWNER LAST NAME - ENGL FIRST NAME - MICHAEL S.
N ADDRESS LINE 1 - P.O. BOX 2500
N
N SOURCE - UNNAMED SPRINGS CITY - SUN VALLEY STATE - ID ZIP CODE - 83353
N STAGE - STATRY CLM TRIBUTARY OF - BIG WOOD RIVER
N TOTAL DIV. VOLUME - 2.00 AFA PRIORITY - 06-01-1938 COUNTY - BLAINE TOTAL DIV. RATE - .0400CFS
N DIVERSION POINT - NESW 31 04N 18E WATER DIST. - 37
N FROM - 04-01 TO - 10-15 USE - IRRIGATION USE DIV. RATE - .0400CFS
N FROM - 01-01 TO - 12-31 USE - FISH PROP.
N FROM - 01-01 TO - 12-31 USE - RECREATION USE DIV. VOLUME - 2.00 AFA
N USE - IRRIGATION PLACE OF USE - TWN 04N RNG 18E SEC 31 TRACT NESW USE DIV. VOLUME - 2.00 AFA
N DIVERSION MEANS - SMALL MAN-MADE LAKE AND PUMP AC 02

hps

WATER RIGHT
DATA ENTRY LOG

[illegible]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J. E. Stanton

Right Number 37-4/31 Applicant ENGL, Michael S.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Loren O. Halmer Date 1-7-80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jmi Date 1/18/80

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

November 20, 1979

James P. Speck
Campion & Hogue
Attorneys at Law
P. O. Box PP
Ketchum, Idaho 83340

Re: Claim to a Water Right No. 37-4130
37-4131

Dear Mr. Speck:

Enclosed is your receipt No. 13395 in the amount of \$40.00 for the above referenced Claims to a Water Right, which was received in this office November 19, 1979.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

3Z-4131

ENGL, MICHAEL S.

P.O. BOX 2500, SUN VALLEY, ID 83353

Source: UNNAMED SPRINGS tributary to BIG WOOD RIVER

Priority Date: 06/01/1938

Amount: 0.04 CFS 2.0 AC-FT

Diversion Point: NESW Sec 31 T 04N R 18E, BLAINE Co.

Use: IRRIGATION	(0.04 CFS) from 04/01 to 10/15
FISH PROP.	(2.0 AC-FT) from 01/01 to 12/31
RECREATION	(2.0 AC-FT) from 01/01 to 12/31

Place of Use: NESW Sec 31 T 04N R 18E FOR 2 ACRES

Diversion Means: SMALL MAN-MADE LAKE AND PUMP

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

C. STEPHEN ALLRED

Director

Published 12/6 & 12/13/79.

MICROFILMED

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region

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

NOVEMBER 26, 1979

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 DECEMBER 24, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED