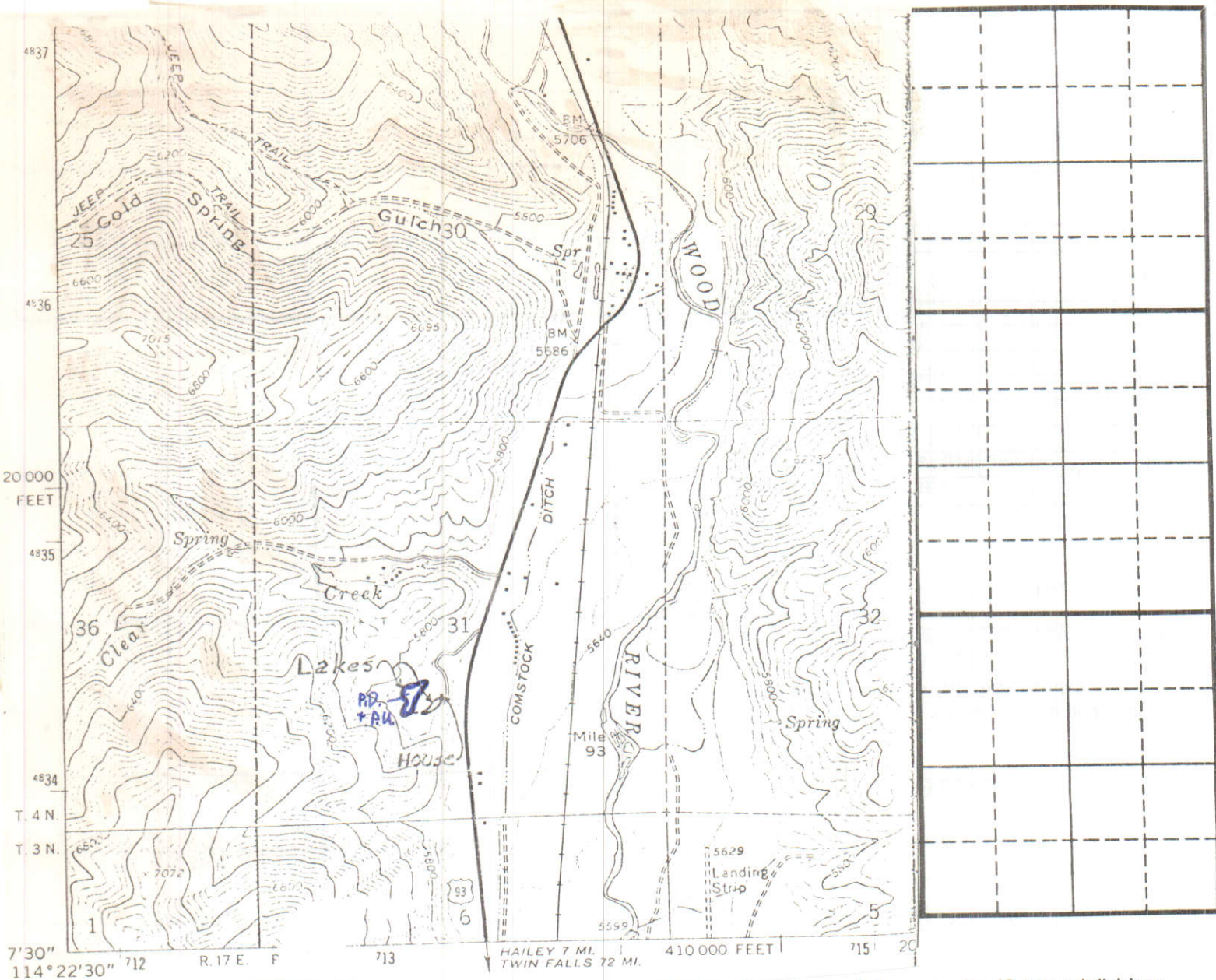


(8) Remarks None



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)

) ss.

County of Blaine)

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.

Michael S. Engl (Claimant)

Sworn to before me this 15th day of November, 19 79.

Notary Public
Residing at Ketchikan, 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>J. E. Stanton</u>	Date <u>11-19-79</u>		claimant by:	
\$20.00 fee received by <u>maria</u>	Date <u>11-19-79</u> # <u>13395</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.

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 31
Number of Insertions 2
Lines tabular at 39c
31 Lines straight at 26c 8.06
31 Subsequent lines at 15c 4.65
TOTAL COST 12.71

COPY OF NOTICE

(Paste Here)

Permit 37-4130
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept 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:

37-4130

Engl, Michael S.
P.O. Box 2500, Sun Valley Id 83353
Source: Unnamed Springs tributary to Big Wood River
Priority Date: 01/28/1909
Amount: 0.50 cfs, 23.0 ac-ft
Diversion Point: NESW Sec 31 T 04N R 18E, Blaine County
Use: Fish Prop.--(0.50 cfs) from 01/01 to 12/31

Recreation--(0.50 cfs) from 01/01 to 12/31

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

Diversion Means: Small man-made lake
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

Publish: Wood River Journal--December 6, 13, 1979.

8 pt. per line, successive
Insertions 15c

RECEIVED

No 1134

Department of Water
Southern District
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. 37-4130

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

REC-1

CLAIM TO A WATER RIGHT

19

Department of Water Resources

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

(Mailing Address)

Telephone No. 726-5032

(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) January 28, 1909

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>0.5 cfs.</u>	Use <u>fish & recreation</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity <u>23 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) 0.5 cfs, 23 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 the bottom of a small lake which was apparently constructed in January, 1909. The storage capacity of the small lake is approximately 23 AF.

- (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									X								

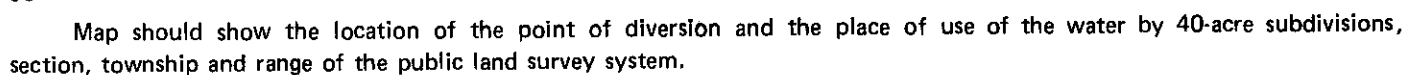
No. of acres _____

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

RECEIVED



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.

Received by Mary Date 11-19-79 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by J. E. Stanton Date 11-19-79 claimant by: _____
 \$20.00 fee received by Mary Date 11-19-79 #13395
 Published in Wood River Journal _____
 Dates 12/6 & 12/13/79 _____

CAMPION & HOGUE

ATTORNEYS

220 EAST AVENUE

POST OFFICE BOX PP

KETCHUM, IDAHO 83340

(208) 726-4421

THOMAS B. CAMPION
TERRY G. HOGUE
JAMES P. SPECK
CYNTHIA S. RUTTER

November 16, 1979

RECEIVED

NOV 17 1979

DEPARTMENT OF WATER RESOURCES
HAILEY OFFICE:
120 N. MAIN STREET
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

REPLY TO:

Ketchum Office

Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Re: Michael S. Engl - Claims to a Water Right -
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 4 North,
Range 18 East, B.M., Blaine County, Idaho

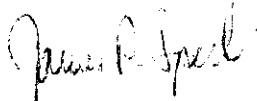
Dear Sirs:

The law firm of Campion & Hogue represents Mr. Michael S. Engl of Sun Valley, Idaho. Enclosed please find two (2) completed and executed Claims to a Water Right together with this firm's check in the sum of \$40.00 for the filing fees. Would you kindly file these Claims in your offices and cause them to be published for the required publication period in the Wood River Journal of Hailey, Idaho. Please let me know if there are any exceptions filed in these Claims.

Kindly call me at my offices in Ketchum, Idaho, if you have any questions pertaining to these Claims. Thank you.

Sincerely,

CAMPION & HOGUE


James P. Speck

JPS/lo

Enclosures

cc: Michael S. Engl

MICROFILM

AFFIDAVIT PUBLICATION

State of Idaho, }
 Connty 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.

Subscribed and sworn to before me this 14

day of December, 1979.
 (SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
 Hailey, Idaho

COST OF PUBLICATION

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COPY OF NOTICE

(Paste Here)

Permit 37-4130
 TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

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

following claim(s) to water right(s) have been established by diversion and application to beneficial use:

37-4130

Engl. Michael S.
 P.O. Box 2200, Sun Valley Id 83353
 Source: Unnamed Springs tributary to Big Wood River
 Priority Date: 01/28/1909
 Amount: 0.50 cfs, 23.0 ac-ft
 Diversion Point: NESW Sec 31 T 04N R 18E, Blaine County
 Use: Fish Prop. (0.50 cfs) from 01/01 to 12/31

Reclamation (0.50 cfs) from 01/01 to 12/31

Place of Use: NESW Sec 31 T 04N R 18E
 Diversion Means: Small man-made pipe
 Any exception to any claim or 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 Allen

Director

Insertions 15c

Nº 1134
 MICROFILMED

WATER RIGHT NUMBER 37-4130

WATER RIGHTS EDIT REPORT

11/23/79

PAGE 5

ACT
ION

N OWNER LAST NAME - ENGL FIRST NAME - MICHAEL S.
N ADDRESS LINE 1 - P.O. BOX 2500
N CITY - SUN VALLEY STATE - ID ZIP CODE - 83353
N SOURCE - UNNAMED SPRINGS TRIBUTARY OF - BIG WOOD RIVER
N STAGE - STATRY CLM PRIORITY - 01-28-1909 COUNTY - BLAINE TOTAL DIV. RATE - .5000CFS
N TOTAL DIV. VOLUME - 23.00 AFA
N DIVERSION POINT - NESW 31 04N 18E
N FROM - 01-01 TO - 12-31 USE - FISH PROP. USE DIV. RATE - .5000CFS USE DIV. VOLUME - 23.00 AFA
N FROM - 01-01 TO - 12-31 USE - RECREATION USE DIV. RATE - .5000CFS USE DIV. VOLUME - 23.00 AFA
N USE - FISH PROP. PLACE OF USE - TWN 04N RNG 18E SEC 31 TRACT NESW
N DIVERSION MEANS - SMALL MAN-MADE LAKE

Handwritten signature/initials

WATER RIGHT NUMBER 37-4130

OWNER LAST NAME - ENGL FIRST NAME - MICHAEL S. ORIG OWNER -
ADDRESS LINE 1 - P.O. BOX 2500 ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - SUN VALLEY STATE - ID ZIP CODE - 83353
SOURCE - UNNAMED SPRINGS TRIBUTARY OF - BIG WOOD RIVER
STAGE - STATRY CLM STATUS - PRIORITY - 01-28-1909 COUNTY - BLAINE TOTAL DIV. RATE - .5000 -CFS
TOTAL DIV. VOLUME - 23.00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NESW 31 04N 18E LOT REDIV -
FROM - 01-01 TO - 12-31 USE - FISH PROP. USE DIV. RATE - .5000 CFS USE DIV. VOLUME - 23.00 AFA
FROM - 01-01 TO - 12-31 USE - RECREATION USE DIV. RATE - .5000 CFS USE DIV. VOLUME - 23.00 AFA
USE - FISH PROP. PLACE OF USE - TWN 04N RNG 18E SEC 31 TRACT NESW LOT AC
DECREE NAME - DATE - TOTAL ACRES 0
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. -
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS - SMALL MAN-MADE LAKE

lake.

WATER RIGHT NUMBER 3 1130

WATER RIGHTS EDIT REPORT

02/07/80

PAGE 71

ACT
ION

C DIVERSION MEANS - LAKE.

WATER RIGHT NUMBER 74130

WATER RIGHTS EDIT REPORT

02/07/80

PAGE 4

ACT
ION

X SOURCE - UNNAMED SPRINGS

TRIBUTARY OF - BIG WOOD RIVER

WATER RIGHT NUMBER 4130

WATER RIGHTS EDIT REPORT

02/07/80

PAGE 34

ACT
ION

L SOURCE - SPRINGS

TRIBUTARY OF - BIG WOOD RIVER

9/78

IDENT. NO. 37-4130

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J E Stanton

Right Number 37-4131 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'Halloran Date 1-7-80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jm Date 2/18/80

MICROFILMED



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:

32-4130-

ENGL, MICHAEL S.

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

Source: UNNAMED SPRINGS tributary to BIG WOOD RIVER

Priority Date: 01/28/1909

Amount: 0.50 CFS 23.0 AC-FT

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

Use: FISH PROP.	(0.50 CFS)	from 01/01 to 12/31
RECREATION	(0.50 CFS)	from 01/01 to 12/31

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

Diversion Means: SMALL MAN-MADE LAKE

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.

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
Hailer 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 billings to this office before DECEMBER 24, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.