

Holmes, Christopher

From: IDWR Preston Info
Sent: Thursday, February 2, 2023 4:02 PM
To: DOW WOODWARD; IDWR Preston Info
Subject: RE: Water Rights.

Dow and Josephine Woodward,

I apologize for missing your phone call. The office staff are receiving a large volume of phone calls regarding the mailing and we are responding as quickly as we can.

The commencement letter for the Bear River Basin Adjudication outlines the requirements. All water uses and active water rights are required to file a claim, even if they have been previously recorded. This is a one time action, it is not a reoccurring requirement to maintain your water right. Within the Bear River Basin there are previously documented water rights that have changed since they were first decreed/licensed (changes in ownership, points of diversion, places of use etc.) or water rights that no longer exist. One purpose of the adjudication is for the department to update its water right records to more accurately represent the actual water use occurring in the basin. The only way for the department to know what water rights are still active are for the water right owners to file claims for their previously documented water rights. If a claim is not filed, the department will assume that the water right no longer exists and it will be recommended to the court as no longer existing.

For most instances, the adjudication process does not require water right holders to work through an attorney. However, you are definitely free to utilize one. They can contact me by phone at (208) 701-7201, by email at christopher.holmes@idwr.idaho.gov, or by setting up an appointment with me in the office or writing to me at Idaho Department of Water Resources C/O Christopher Holmes, 325 E 600 S Ste 300, Preston ID 83263.

Sincerely,

Christopher Holmes

Christopher Holmes
Water Rights Supervisor
Idaho Department of Water Resources, Preston Field Office
325 East 600 South, Suite 300
Preston, ID 83263
Phone (208) 701-7200
Christopher.Holmes@idwr.idaho.gov

-----Original Message-----

From: DOW WOODWARD <dowjosie@comcast.net>
Sent: Thursday, February 2, 2023 2:44 PM
To: IDWR Preston Info <PrestonInfo@idwr.idaho.gov>
Subject: RE: Water Rights.

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi Mr. Christopher Holmes,

Why should we keep doing this to file a Water Rights. In our Deed of our land in Idaho it stated our Water Rights. Also, we have a Permit To Appropriate Water No. 11-07430 which we sent them to you by email.

Wondering if our lawyer will do this for us. Would you please send us the Telephone No. and address so that our lawyer will contact them or to you directly.

We tried to call you but no answer.

Best,

Dow and Josephine Woodward

> On 02/02/2023 7:57 AM IDWR Preston Info <prestoninfo@idwr.idaho.gov> wrote:

>

>

> Good morning,

>

> I reviewed the attached documents. You will need to file a Notice of Claim to a Water Right in the Bear River Basin Adjudication (BRBA). If you received a letter in the mail this week from the Idaho Department of Water Resources, that is what the letter is talking about. The adjudication is documenting and cataloguing historical water rights, and if you do not file a claim on your water right 11-07430 the department will not include it in it's final determination of active water rights in the basin and it will be determined as not existing anymore. If you file a claim on the existing water right, the department will determine that it is still an active water right and it will not be lost. When you file the claim, you will fill out your contact information with the new address.

>

> I would refer you to my previous email for copies of the claim forms and commencement letter that was sent out. Your deadline to file the claim(s) is October 20th of this year. If you have any questions or would like help completing the claim form(s), please feel free to reach out to me.

>

> Sincerely,

>

> Christopher Holmes

>

> Christopher Holmes

> Water Rights Supervisor

> Idaho Department of Water Resources, Preston Field Office

> 325 East 600 South, Suite 300

> Preston, ID 83263

> Phone (208) 701-7200

> Christopher.Holmes@idwr.idaho.gov<mailto:Christopher.Holmes@idwr.idaho.gov>

>

>

>

> From: DOW WOODWARD <dowjosie@comcast.net>

> Sent: Wednesday, February 1, 2023 9:43 PM

> To: IDWR Preston Info <PrestonInfo@idwr.idaho.gov>

> Subject: Re: Water Rights.

>

> CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

>
>
> February 01, 2023
>
>
> 470 Wayside Road
> Portola Valley CA, 94028
>
>
> Christopher Holmes
> Water Rights Supervisor
> Idaho Department of Water Resources, Preston Field Office
> 325 East 600 South, Suite 300
> Preston, ID 83263
>
> Dear Mr. Holmes,
>
> We received your email asking us to apply for a water permit for 976 Out Back Road, Liberty Idaho, 83254. We already have a water permit which we will attach to this email. If there is any other requirement, please let us know. This is a new address since Bear Lake County (Wayne Davidson, Bear Lake County Building Official) changed it from Stauffer Canyon Road, Ovid Idaho, 83254. Also, Attach the letter by Wayne Davidson.
>
> Sincerely,
>
>
>
> Josephine Woodward And/Or
> Dow O. Woodward, PhD

Holmes, Christopher

From: IDWR Preston Info
Sent: Wednesday, February 1, 2023 8:37 AM
To: DOW WOODWARD; IDWR Preston Info
Subject: RE: Water Rights.
Attachments: 42-1409-2-BRBA-Domestic-Stock-Claim-Form-01-23-Type-able (6).pdf; 42-1409-2-Instructions-BRBA (1).pdf; 42-1409-1-BRBA-Irrigation-and-Other-Claim-Form-06-21 (13).pdf; 42-1401-1-Instructions-BRBA (1).pdf; BRBA Commencement Notice Mailing Packet - Group 1 (FINAL).pdf

Good morning,

In regards to Water Right 11-07430, you will need to file a Notice to Claim to a Water Right in the Bear River Basin Adjudication (BRBA). If you do not file a claim, it is assumed that the water right no longer exists and will be lost. In regards to the spring supplying drinking water, it depends on your specific scenario. If the spring was developed and used on/after May 20, 1971 then an Application for Permit is required for this surface water use. If the spring was developed before that date, this Domestic use is a deferrable use that does not require you to file a Notice of Claim in the BRBA at this time. However, deferral is not indefinite and eventually you will need to file a claim on this use. The department recommends filing this claim now rather than later because it will most likely be easier, less expensive, and processed faster than it will be in the future.

By putting your new mailing address on the claim form(s), this will act as your Change in Address form. We cannot process address changes by email.

I attached copies of the two claim forms and instructions relevant to your property. The shorter two page claim form is for the Domestic use from the spring supplying your drinking water. The longer four page claim form is for the licensed Water Right 11-07430. Completing these forms should take no longer than 10-20 minutes. I also attached a copy of the commencement letter mailing. If you have any questions or would like help completing these forms, feel free to contact the Preston Field Office. The contact information can be found below.

Sincerely,

Christopher Holmes

Christopher Holmes
Water Rights Supervisor
Idaho Department of Water Resources, Preston Field Office
325 East 600 South, Suite 300
Preston, ID 83263
Phone (208) 701-7200
PrestonInfo@idwr.idaho.gov

From: DOW WOODWARD <dowjosie@comcast.net>
Sent: Tuesday, January 31, 2023 10:34 PM
To: IDWR Preston Info <PrestonInfo@idwr.idaho.gov>
Subject: Re: Water Rights.

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January 31, 2023

470 Wayside Road
Portola Valley CA, 94028

Re: 976 Out Back Road, Liberty Idaho, 83254

IDWR (The General Adjudication of Rights
to the Use of Water).

Dear Sir/Ma'am:

We own the property located at 976 Out Back Road, Liberty Idaho, 83254. We have had a permit for the water we use on this Parcel Number 02779.01 since 1995. In addition, we have a spring on our property that we have been using for drinking water since the time that we owned the property. We have a document from State of Idaho Department of Water Resources Water Right License - Water Right No. 11-07430.

Old address: 6500 Stauffer Canyon Road
Ovid, Idaho 83260

Change to New Address (Bear Lake County Building Dept.)
976 Out Back Road, Liberty Idaho, 83254

Sincerely,

Josephine B. Woodward And/Or
Dow O. Woodward

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 11-07430

Proposed Priority: October 16, 1995 Maximum Diversion Rate: 0.02 CFS

This is to certify, that DOW O WOODWARD
6500 STAUFFER CANYON RD
OVID ID 83260
has applied for a permit to appropriate water from:
SPRING tributary of SPRING CREEK

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>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31		
DIVERSION TO STORAGE	01/01 to 12/31	0.02 CFS	1.0 AF
Totals		0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION: NWSENE , Sec. 5, Township 12S, Range 43E
BEAR LAKE County

PLACE OF USE: RECREATION STORAGE
TWN RGE SEC
12S 43E 5 SENE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1996.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 11.
4. Recreation storage use is for fishing & swimming.

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

15th day of December, 1995.

Karl J. Dreher
Karl J. Dreher, Director

for

State of Idaho
Department of Water Resources
Water Right License

Priority: October 16, 1995
WATER RIGHT NO. 11-07430
Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 1.0 AF

It is hereby certified that JOSEPHINE B WOODWARD And/O:
DOW O WOODWARD
470 WAYSIDE RD
PORTOLA VALLEY CA 94028
has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated October 16, 1995; and has submitted Proof
of Beneficial Use on April 23, 1996; and a water right has been established as follows:

SOURCE
SPRING

Tributary: SPRING CREEK

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL DIVERSION VOLUME
DIVERSION TO STORAGE	01/01 to 12/31	0.02 CFS	1.0 AF
RECREATION STORAGE	01/01 to 12/31		

LOCATION OF POINT(S) OF DIVERSION:

SPRING NW 1/4 SE 1/4 NW 1/4 Sec. 5 Twp. 12S Rge. 43E, B.M. BEAR LAKE County

PLACE OF USE: RECREATION STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	Totals
12S	43E	5					

CONDITIONS OF APPROVAL

1. The pond established by the storage of water under this right shall not exceed a total capacity of 1.0 acre-feet or a total surface area of 0.5 acre(s).
2. 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. 11.
3. Recreation storage is for a pond used for fishing & swimming.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 15th day of November, 2012


for GARY SPACKMAN
Director



BEAR LAKE COUNTY BUILDING DEPARTMENT
Building Official
Wayne Davidson
PO Box 190
7 East Center, Paris, ID, 83261
208-945-2212 Ext 39
blbuilding@dccl.net

May 30, 2017

Josephine Woodward
470 Wayside Rd
Portola Valley, CA 94028

Dear Josephine,

Bear Lake County is trying to update our 911 mapping system and in doing so we have noticed some homes with inaccurate addresses. Your home at 6500 Stauffer Canyon Rd. Liberty Idaho, parcel number 02779.01 is one of those homes.

We have named that little road that branches off of Stauffer Canyon Rd and goes to your place. It will be known as Outback Rd. Your new address will be 976 Outback Rd. Liberty ID 83254. These changes will help our emergency personal find your place in case of an emergency.

Best regards
Wayne Davidson
Bear Lake County Building Official