

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A73-04104
Date Received: 11/17/1989
Receipt No: M005245
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: GLORIA J COLEMAN 208-876-4244
Address: HC 62 BOX 1002
ELLIS ID 83235

OR

Name: STARR W COLEMAN 208-876-4244
Address: HC 62 BOX 1002
ELLIS ID 83235

2. Date of Priority: JUN 1, 1882

3. Source: PAHSIMEROI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	20E	25		SE	NW		CUSTER

5. Description of diverting works:
HEADGATE TO DITCH FOR FLOOD IRRIGATION. STOCK DRINK FROM DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.460		80.50
STOCKWATER	01/01	12/31	0.030		1.30

7. Total Quantity Appropriated is:
0.490 C.F.S. (and/or) 81.80 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 RANGE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16N	20E	25	SE		NW		IRR	3.0
			SE		NW		STOCK	
			NE		SW		IRR	15.0
			NE		SW		STOCK	
			SE		SW		IRR	5.0
			SE		SW		STOCK	
							Section Acres	23.0
							Total Acres	23.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A73-04105, A73-04106

14. Remarks:

*TRANSFER #4753 CHANGED SOURCE AND PLACE OF USE, REDUCING BOTH.

15. Basis of Claim: BENEFICIAL USE

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IN AND FOR THE COUNTY OF TWIN FALLS

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

CIVIL CASE NUMBER: 39576

Ident. Number: A73-04104
Date Received: 11/17/1989
Receipt No: M005245
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DICK H. COLEMAN
Address: BOX 5
ELLIS, ID

83235

OR

Name: STARR W. COLEMAN
Address: HC 62 BOX 1002
ELLIS, ID

208-876-4244

83235

2. Date of Priority: JUN 01, 1882

3. Source: SPRING CREEK

Trib. to: PAHSIMEROI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	20E	25	NE	SE	SW		CUSTER

5. Description of diverting works:

HEADGATE TO DITCH FOR FLOOD IRRIGATION. STOCK DRINK FROM DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.920		
STOCKWATER	01/01	12/31	0.030		

7. Total Quantity Appropriated is:

0.950 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

57.5 Acre Feet Per Annum.

9. Non-irrigation uses:

S/100 RANGE

A73-04104

Page

11 17/89

MICROFILMED

DEC 14 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	20E	25	SE	NW		IRR	3.0
			SE	NW		STOCK	
			NE	SW		IRR	15.0
			NE	SW		STOCK	
			SE	SW		IRR	5.0
			SE	SW		STOCK	
Section Acres							23.0
Total Acres							23.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A73-04105, A73-04106

14. Remarks:
SESW 25 T16N R20E (2 POINTS).

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Starr W. Cabana Date: 11/17/89

Date: _____

State of Idaho)
County of Custer) SS.

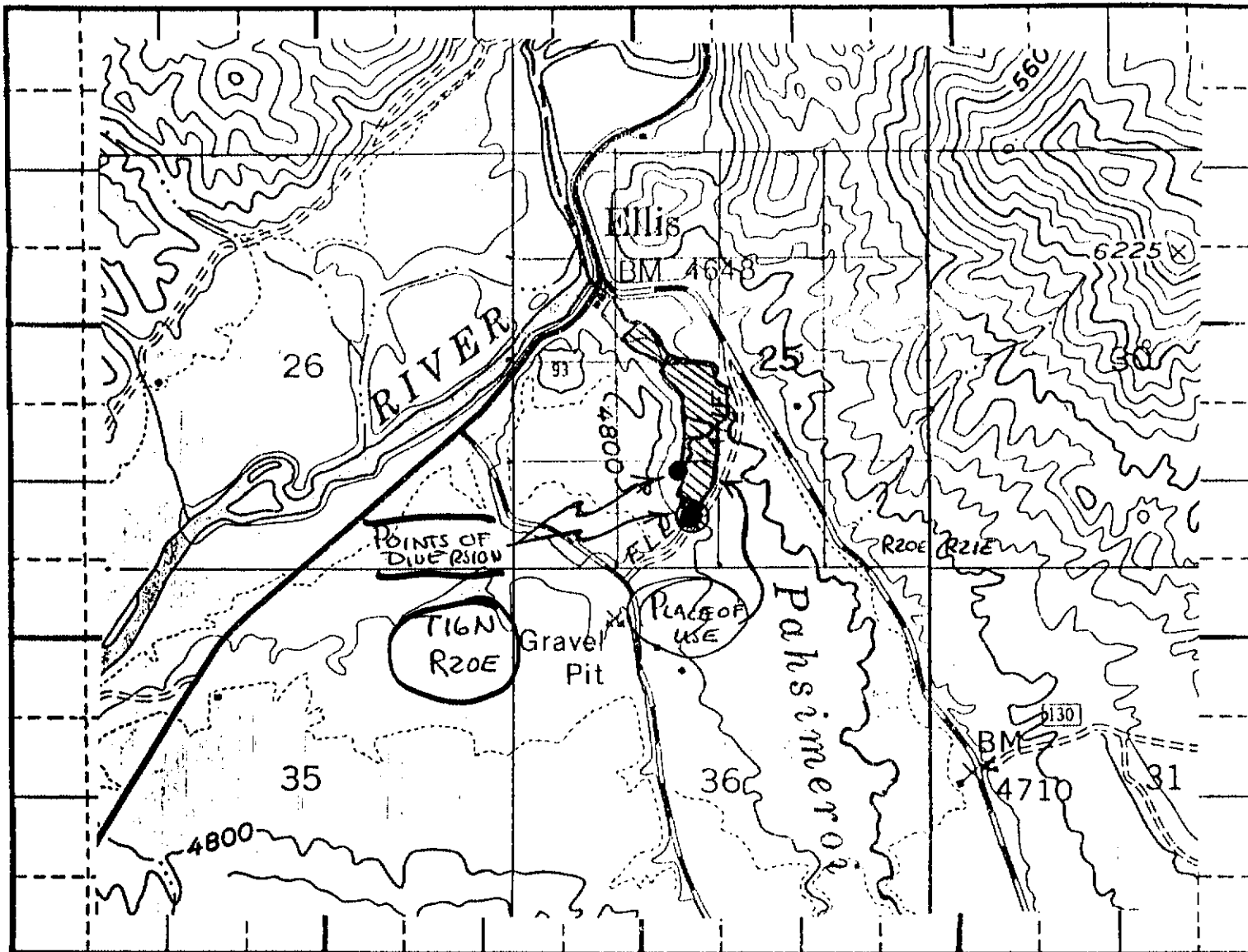
Subscribed and sworn (or affirmed) before me this 17th day
of November 19 89
Starr W. Cabana
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires December 7, 1994

(8) Remarks _____



Scale: 2 inches equal 4 miles

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 CUSTER) 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.

A73-04104

MICROFILMED
Starr W. Clark
JUL 14 1992
(Claimant)

Sworn to before me this 28 day of June, 1985.

MEMORANDUM

TO: File 73-04104

FROM: Pam Skaggs^{PS}/State Office

SUBJECT: Transfer 4753

DATE: December 4, 1998

ok

Transfer 4753 changes the point of diversion, reduces the rate of diversion and changes the source under Right 73-04104. The source is changed from Spring Creek to the tributary, Pahsimeroi River.

The watermaster of Water District stated that the change should not have any effect on other water users. The rate of diversion was reduced to reflect the change from ditches to a pump and sprinkler system.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include Watermaster control, measuring device/lockable controlling works, irrigation overlap, non-confirmation of claim, diversion limited to availability from original source, and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4753
WATER RIGHT NO. 73-04104

62121
RECEIVED
DEC 16 1998
Department of Water Resources
Eastern Region

This is to certify that: STARR W COLEMAN
GLORIA J COLEMAN
HC-62 BOX 1002
ELLIS ID 83235

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.46 CFS	80.5 AF
STOCKWATER	01/01 to 12/31	0.03 CFS	1.3 AF
	Totals	0.49 CFS	81.8 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
PAHSIMEROI RIVER	SALMON RIVER

Priority: 06/01/1882

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 25, Township 16N, Range 20E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
16N	20E	25	SENW 3	NESW 15	SESW 5	23
Total number of acres irrigated:						23

PLACE OF USE: STOCKWATER, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

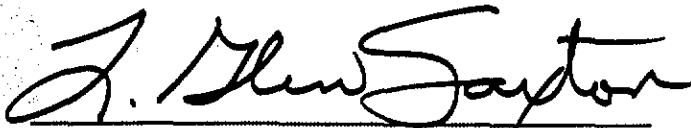
1. Approval of Transfer 4753 does not confirm Claimed Right 73-04104.
2. Diversion of water from the Pahsimeroi River is limited to those times water is available for diversion under this right and priority from the original source, Spring Creek.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 73.

TRANSFER NO. 4753
WATER RIGHT NO. 73-04104

CONDITIONS OF APPROVAL AND REMARKS

4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 9th day of December, 1998.


Chief, Water Allocation Bureau

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 4753
Amended

APPLICATION FOR TRANSFER OF WATER RIGHT

AMENDED

PART 1

Name of applicant STAR W. for Gloria J. Coleman Phone (208) 876-4224
 Post Office address HC-62 Box 1002 Ellis ID 83235

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other change source
- Describe the reason for the proposed changes erosion control and to reflect current irrigation practices

RECEIVED

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

AUG 04 1998

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Department of Water Resources Eastern Region
<u>73-04104</u>	<u>06-01-1982</u>	<u>0.46 cfs</u>	<u>irrigation</u>	<u>04-01</u> to <u>11-01</u>	
<u>73-04104</u>	<u>06-01-1982</u>	<u>0.03 cfs</u>	<u>stockwater</u>	<u>01-01</u> to <u>12-31</u>	
				to	
				to	

2. Total amount of water being transferred 0.49 cfs cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Pausimasi River tributary to Salmon River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		~~SW~~ <u>SE</u>	~~SE~~ <u>NW</u>	<u>25</u>	<u>16N</u>	<u>20E</u>	<u>Lemhi</u>	<u>NONE</u>
		<u>SW</u>	<u>SE</u>					

5. Lands Irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>16N</u>	<u>20E</u>	<u>25</u>								<u>3.0</u>	<u>150</u>			<u>5.0</u>					<u>23.0</u>
		<u>25</u>								<u>S</u>	<u>S</u>			<u>S</u>					

Total acres 23.0

PART 1**6. General Information:**

- a. Description of diversion system pump in river with handlines & wheelines

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

- d. Remarks:
these lands lie out of the boundary of water district 73

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 73-04104 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Spring Creek tributary to Pansinger Rn

4. Date or priority 06-01-1882

5. Water is used for the following purpose:

amount 0.92 cfs for irrigation purposes from 04-01 to 11-01
 (cfs/ac-ft)
 amount 0.03 cfs for _____ purposes from 01-01 to 12-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right .95 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	SW	25	16N	20E	Lemhi	

8. Lands Irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals.
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	20N	25								30	150			50					23.0
		25								5	5			5					

Total acres 23.0

9. Describe any other water rights used for the same purpose as described above NONE

10. To your knowledge, has any part of this water right undergone a period of _____ or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

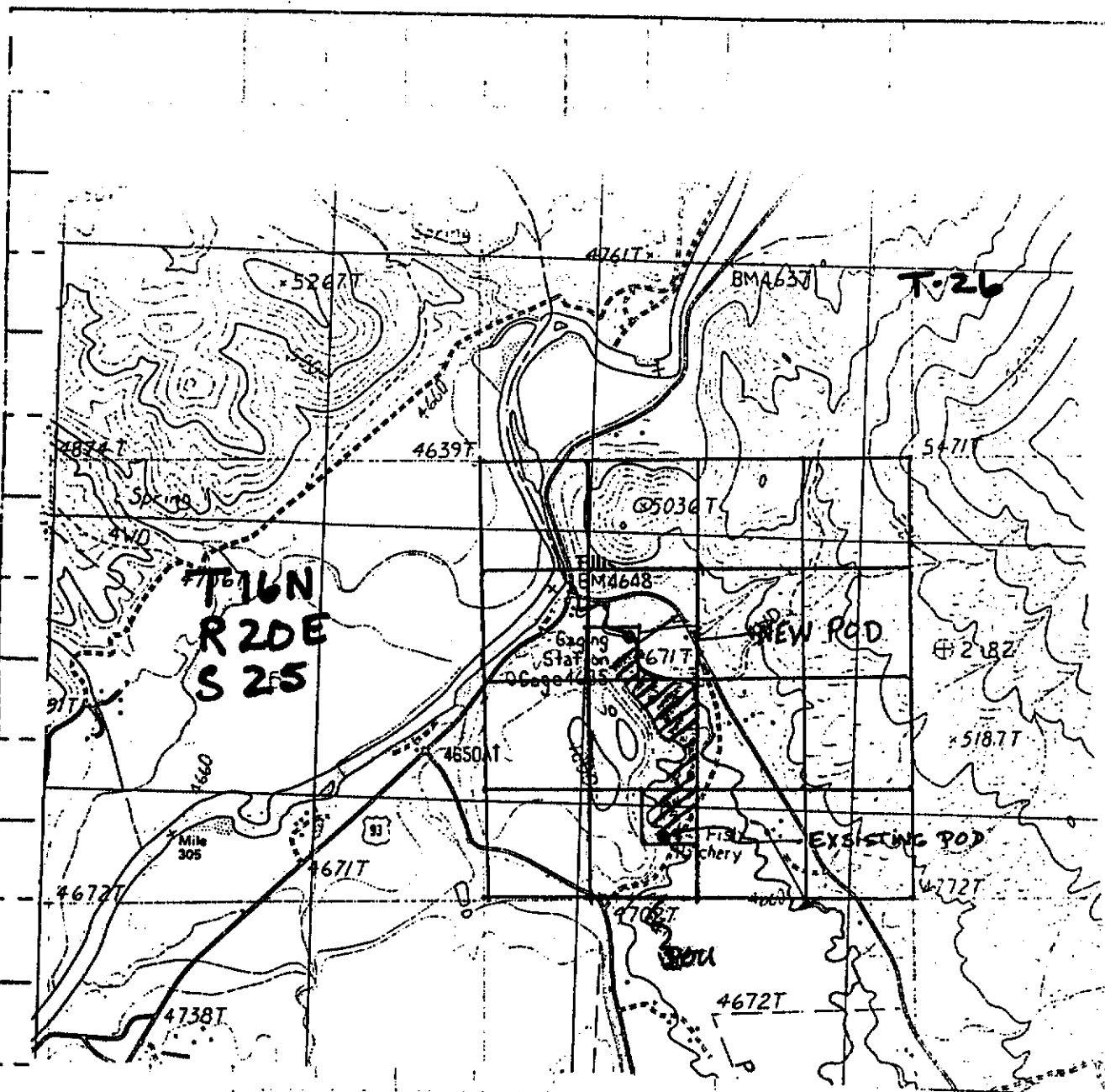
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				_____ to _____
				_____ to _____

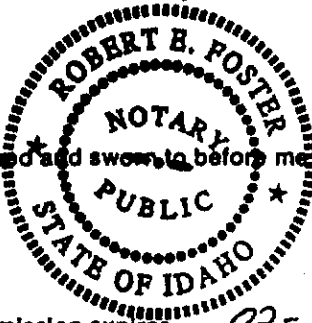
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 6th day of May, 19 98.



Starr W. Coleman
(Signature of Applicant)

Robert E. Foster
(Notary Public)

My commission expires 02-16-2001

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee \$100 + 50%

Received by ALS # E021806 Date 6-23-98

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____