

R3E R4E

SMITHS FERRY QUADR
IDAHO
7.5-MINUTE SERIES (ORTHO)

575

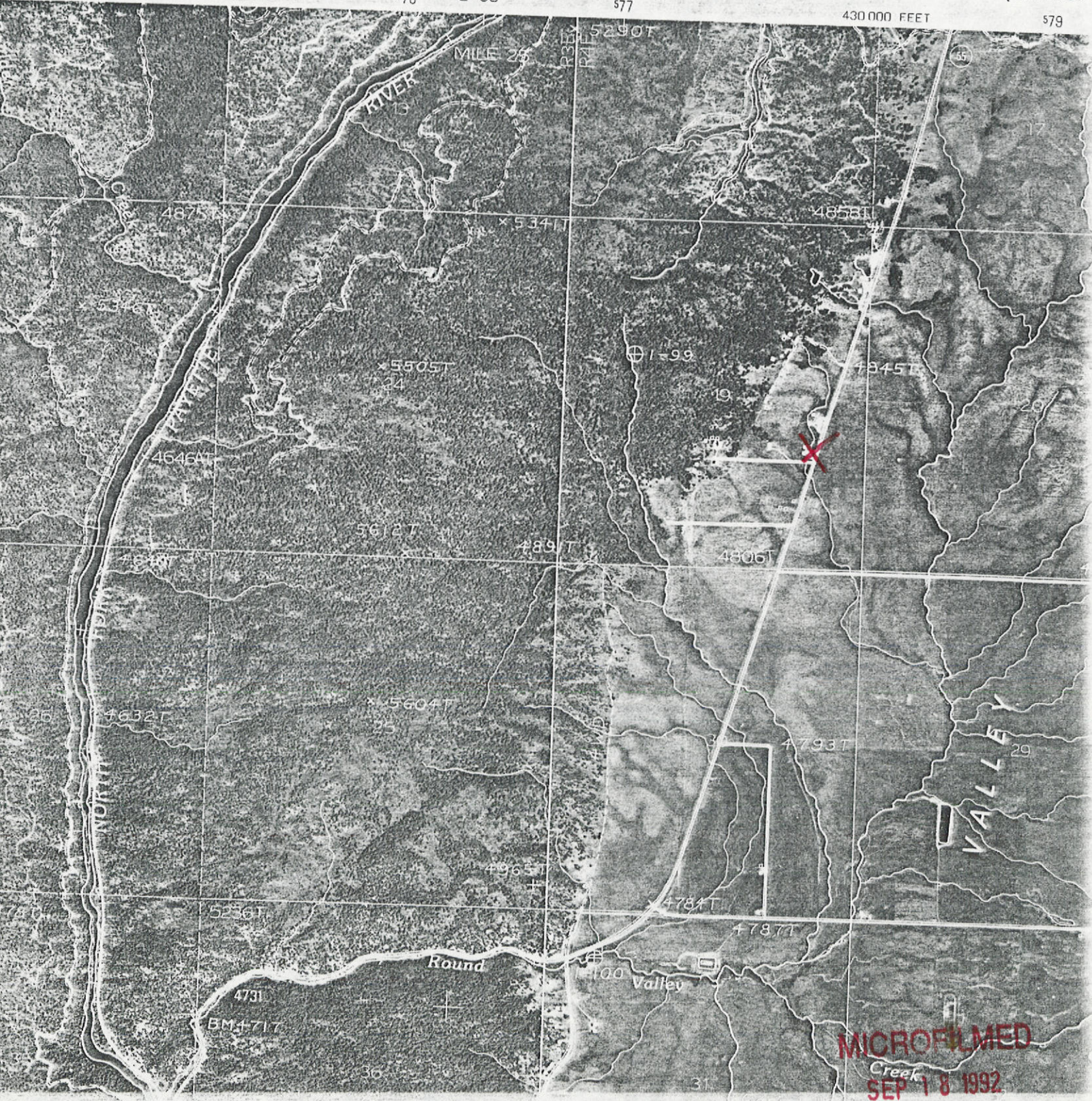
576

2' 30"

577

430 000 FEET

579



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: **A65-01328X**
Date Received: 10/ 2/1988
Receipt No: X999999
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: GEORGE COLE 208-382-4513
Address: 15 SMITHS FERRY DR
CASCADE ID 83611

2. Date of Priority: APR 1, 1964

3. Source: SPRING Trib. to: ROUND VALLEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	04E	19	NW	SE			VALLEY

5. Description of diverting works:
PIPED FROM SPRING TO CAFE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		1.20
COMMERCIAL	01/01	12/31	0.020		3.90

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 5.10 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC AND COMMERCIAL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	04E	19	NW	SE		DOMEST	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:
LOG CABIN CAFE
OWNERSHIP CHANGED BY KW 8/2/99.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

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): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

CHANGE IN ADDRESS OF NOTICE OF CLAIM

RECEIVED

APR 28 1995

Department of Water Resources

MAY 05 1995

WATER RESOURCES
WESTERN REGION

[] Water Right Number (s): 65-1328X

Alb5-01326

Alb5-02879

[] Old Mailing Address: HC 71 Box 7
Cascade Ida 83611

[] New Mailing Address: 15 Smith Berry Dr.
Cascade
Idaho 83611

~~***~~ Telephone Number: (208) 382-4513

[] Signature of Claimant: Jo Anne Cole

Date: 4-27-95

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 5-9-95 By: JD

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 5-9-95 By: JD

SEND TO YOUR NEAREST
REGION OFFICE:

WESTERN REGION OFFICE
2735 AIRPORT WAY
BOISE ID 83705
208-334-2190

SOUTHERN REGION OFFICE
222 SHOSHONE ST EAST
TWIN FALLS ID 83301
208-736-3033

STATE OFFICE
1301 N ORCHARD ST
BOISE ID 83720
208-327-7900

EASTERN REGION OFFICE
900 N SKYLINE DR
IDAHO FALLS ID 83402
208-525-7161

NORTHERN REGION OFFICE
1910 NORTHWEST BLVD STE 210
COEUR D'ALENE ID 83814
208-769-1450

THIS INDENTURE, Made this 24 day of August, in the year of our Lord
one thousand nine hundred and Seventy between

DAAGCO DEVELOPMENT, INC.
a corporation duly organized and existing under the laws of the State of Idaho
and having its principal office in Idaho at Boise in the County of
Ada, party of the first part, and GEORGE W. COLE and JO ANNE COLE,
husband and wife, and BETTY JO NASH, a single woman,
of 3249 Cherry Lane #23, Boise 83705, County of Valley, State of
Idaho parties of the second part,

WITNESSETH, That the said party of the first part, having been hereunto duly authorized by resolution of its Board of
Directors, for and in consideration of the sum of FOUR THOUSAND FIVE HUNDRED AND NO/100
(\$4,500.00) DOLLARS,

lawful money of the United States of America, to it in hand paid by the said parties of the second part, the receipt
whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey
and confirm unto the said parties of the second part, and to their heirs and assigns forever, all
the following described real estate situated in, County of Valley
State of Idaho, to-wit:

A tract of land in the North half of the Southeast quarter of Section 19, T. 12 N., R. 4 E., B.M., Valley County, Idaho, more particularly described as follows: Commencing at the quarter section corner common to Sections 19 and 30 T. 12 N., R. 4 E., .B.M., thence N. 2°51'30" W. along the midsection line said Section 19, 2012.66 feet to the REAL POINT OF BEGINNING; thence continue N. 2°51'30" W. along said midsection line 430.10 feet to a steel pin; thence N. 87°59'10" E., 1016.28 feet to a steel pin; thence S. 21°40'50" W. 290.58 feet to a steel pin; thence N. 68°19'10" W. 6.50 feet to a steel pin; thence S. 21°40'50" W. 181.91 feet to a steel pin; thence S. 87°59'10" W., 814.11 feet to the REAL POINT OF BEGINNING. TOGETHER WITH a permanent road easement for ingress and egress over: A strip of land in the East half of Section 19, T. 12 N., R. 4 E., B.M., Valley County, Idaho, being 20.00 feet wide, 10.00 feet either side of the following described centerline: Commencing at the quarter section corner common to Sections 19 and 30 T. 12 N., R. 4 E., B.M., thence N. 2°51'30" W. along the mid-section line of said Section 19, 2442.76 feet to a point; thence N. 87°59'10" E., 1006.28 feet to the REAL POINT OF BEGINNING; thence N. 19°40'40" E., 136.91 feet; thence N. 24°21'40" E., 493.39 feet; thence N. 23°56'40" E., 441.58 feet; thence N. 13°42'40" E., 176.55 feet; thence N. 65°45'10" E., 74.89 feet; thence S. 62°12'20" E., 276.72 feet; thence S. 78°57' E., 132.19 feet; thence S. 38°53'20" E., 291.95 feet; thence S. 71°16'10" E., 87.00 feet to the westerly right-of-way line of State Highway 55. Together with all water, water rights, ditches and ditch rights appurtenant thereto or connected therewith.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

To HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said party of the first part, and its successors, the said premises in the quiet and peaceable possession of the said parties of the second part their heirs and assigns, against the said party of the first part, and its successors, and against all and

SUBMITTED AND PLATTED
JAMES P. HUSMAN, AGGESSOR

BY R. L. DEPUTY
VALLEY COUNTY, IDAHO

RECEIVED
MAY 26 1995

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

RECEIVED

MAY 26 1995

WATER RESOURCES
WESTERN REGION

For Value Received

VERN W. EDWARDS and MARSHA EDWARDS, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

GEORGE W. COLE and JOANNE COLE, husband and wife,

State Route Banks, Idaho 83602
the grantees, the following described premises, to-wit:

A tract of land in the north half of the southeast quarter of Section 19, T. 12 N., R. 4E., B.M., Valley County, Idaho, more particularly described as follows: Commencing at the quarter corner common to Sections 19 and 30, T. 12 N., R. 4E., B.M., thence N. 87°59'10" E. along the section line, 1238.60 feet to a point on the westerly right-of-way line of State Highway 55; thence N. 14°26' E., 2098.30 feet to a steel pin on said right-of-way line, the real point of beginning; thence N. 14°26' E. along said right-of-way line, 448.40 feet to a steel pin; thence S. 87°59'10" W., 979.37 feet to a steel pin; thence S. 21°40'50" W., 290.58 feet to a steel pin; thence N. 68°19'10" W., 6.50 feet to a steel pin; thence S. 21°40'50" W., 181.91 feet to a steel pin; thence N. 87°59'10" E., 1048.24 feet to the real point of beginning. Said tract of land contains 10.00 acres more or less, subject to easements of record or in use.

Also, for access to a collection box on a certain spring, an easement 12 feet wide, 6 feet either side of the following described centerline: Beginning at a point on the westerly boundary of the above described tract which bears S. 21°40'50" W., 272 feet from the northwest corner of said tract, thence N. 68°19'10" W., 59 feet to the end point 6 feet westerly of said collection box.

TOGETHER with all water, water rights, ditches and ditch rights of way appurtenant thereto or connected therewith.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantees, that they are the owner s in fee simple of said premises; that said premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated:

December 17th, 1969.

Vern W Edwards
Marsha Edwards

STATE OF IDAHO, COUNTY OF Ada
On this 17th day of Dec., 1969,
before me, a notary public in and for said State, personally
appeared

VERN W. EDWARDS and MARSHA
EDWARDS, husband and wife,

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Harold J. Pitkin
Notary Public
Residing at Boise, Idaho
Comm. Expires March 1974

STATE OF IDAHO, COUNTY OF Valley
I hereby certify that this instrument was filed for record at
the request of *Valley Land, Inc.*
at 55 minutes past 3 o'clock p.m.,
this 15 day of Sept.,
1969, in my office, and duly recorded in Book *De #3*
of Deeds at page.

Jed Crutcher
Ex-Officio Recorder
By *L. J. J. J.*
Fees \$2.00
Mail to:
INDEXED - DIRECT
INDEXED - INDIRECT

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: A65-01328X
Date Received: 10/02/1988
Receipt No: X999999
Received By: RH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAYMOND GILBERT 208-345-7728
Address: 4827 LAKES EDGE PLACE
BOISE, ID 83703

Name: PEGGY GILBERT 208-345-7728
Address: 4827 LAKE EDGE PLACE
BOISE, ID 83703

2. Date of Priority: APR 01, 1964

3. Source: SPRING Trib. to: ROUND VALLEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	04E	19	NW	SE			VALLEY

5. Description of diverting works:
PIPED FROM SPRING TO CAFE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		1.20
COMMERCIAL	01/01	12/31	0.020		3.90

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 5.10 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC AND COMMERCIAL

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12N	04E	19	NW SE		DOMEST	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:
LOG CABIN CAFE

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/21/1986

STATE OF IDAHO
Decree Plaintiff

vs

A & C CORP., ET AL.
Decree Defendant

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 X 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): Peggy D. Gilbert Date: 11-2-88
Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 2 day
of November 19 88.

Nancy M. Lindgren
Notary Public

Seal

Residing at Boise
My Commission Expires 1-19-1994

R3E R4E

SMITHS FERRY QUADR
IDAHO
7.5-MINUTE SERIES (ORTHO)

575

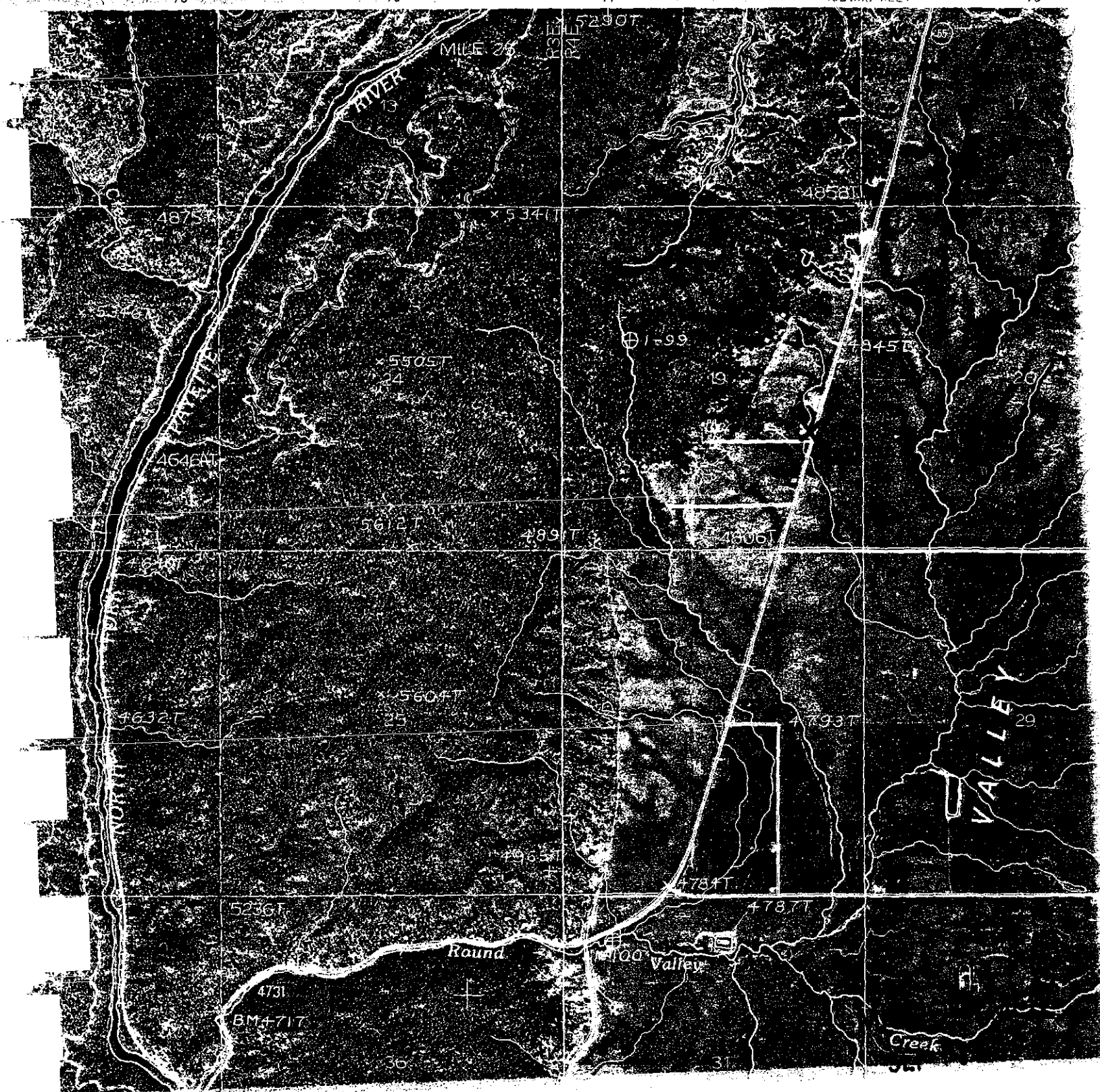
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2' 30"

577

430 000 FEET

579



AJ0749NP
No. R65-01328X

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/02/99
PAGE: 1

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GEORGE COLE 15 SMITHS FERRY DR CASCADE ID 83611 (208) 382-4513	04/01/1964	COMMERCIAL DOMESTIC	01-01 12-31 01-01 12-31	0.020 CFS 0.020 CFS	3.90 AFA 1.20 AFA
TOTAL DIVERSION:					0.040 CFS	5.10 AFA

Water Source: SPRING

Tributary to: ROUND VALLEY CREEK

Stage: DECREED

Point(s) of Diversion: T12N R04E S19 NWSE

VALLEY County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
12N	04E	19	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

Place of use location for COMMERCIAL is the same location as described for: DOMESTIC

POU County: VALLEY

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-07427A	65-07482	65-10311	65-17964	A65-01328X	A65-07427A	A65-07427X	A65-07482	A65-07696	A65-10311
A65-10511	A65-11216	A65-17964	A65-18013	R65-07427X	R65-07696	R65-11216	R65-18013		

Other Water Rights Listing Overlapping Place(s) of Use:

A65-07427X A65-07696 R65-07427X

Remarks: USE DOMESTIC AND COMMERCIAL USE FOR LOG CABIN CAFE.

Dates: Exam Made Date: Verified Date: 08/02/1999 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 08/02/1999 User-ID: KWALKER Subject: OWNERSHIP
FOUND AN ADDRESS CHANGE FORM IN FILE WHICH HAD NOT BEEN PROCESSED

AJ0749NP
No. R65-01328X

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/02/99
PAGE: 2

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Comments: Date: 08/02/1999 User-ID: KWALKER Subject: OWNERSHIP
SO CALLED THE VALLEY COUNTY ASSESSOR'S OFFICE TO FIND CURRENT
OWNER OF PROPERTY. HAD DEEDS IN FILE TO SHOW THAT MR. COLE DOES
OWN PROPERTY. USED DEEDS AND ADDRESS CHANGE WITH SIGNATURE TO
CHANGE OWNERSHIP EVEN THOUGH WE DID NOT HAVE A CHAIN IN TITLE
FROM CLAIMANT TO CURRENT OWNER.

Audit: 08/02/99 KWALKER

Memorandum

To: File A65-01328X

From: Kay Walker

Date: 07/30/99

Re: Ownership Change

.....
.....
In review of this claim I found an address change in our file that had not been processed because the claim was not in the name of the folks shown on the address change form. We requested and received deeds which showed the property in the name of George W. and JoAnne Cole and Betty Jo Nash. We rejected the change in address because we did not have a chain of title from the claimants to the deed holders.

I contacted the Valley County Assessor's office today and found the current owner of the property to be George Cole of 15 Smiths Ferry, Cascade, 83611. In talking with Jan we decided that I could go ahead and use the address change form as ownership change since we had deeds and signature and update this file before recommendations.

.....

WR5809NP
No. 65-01328X ✓

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/08/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOG CABIN INN	04/01/1964	COMMERCIAL ✓ DOMESTIC ✓	01/01 12/31 ✓ 01/01 12/31 ✓	0.020 CFS ✓ 0.020 CFS ✓	3.90 AFA ✓ 1.20 AFA ✓
TOTAL DIVERSION:					0.040 CFS ✓	5.10 AFA ✓

Water Source: SPRING ✓

Tributary to: ROUND VALLEY CREEK ✓

Stage: DECREED ✓

Point(s) of Diversion:

T12N R04E S19 ✓

NWSE ✓

VALLEY County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
12N	04E	19	:													:
			:													:

Place of use location for COMMERCIAL is the same location as described for: DOMESTIC

Pou County: VALLEY

Dates:	App. Received:	Priority Date:	04/01/1964
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

C/Log Cabin Cafe.
verify current owner -

ADJUDICATION MEMORANDUM

CLAIM NO.: AL5-01328X

SUBJECT: Address Change

EMPLOYEE: K. Harris

DATE: 5-95

I contacted JoAnne Cole and told her we were unable to do the address change for this claim since it is in the name of Raymond and Peggy Gilbert. She submitted the attached deeds which still did not confirm an exchange between the Gilberts and Cole. I left another message regarding the deeds and ownership, but did not receive a response. Verify ownership during Basin 65 county verification. Address changes completed on AL5-01326 and AL5-02879.