

Idaho Dept. of Water Resources

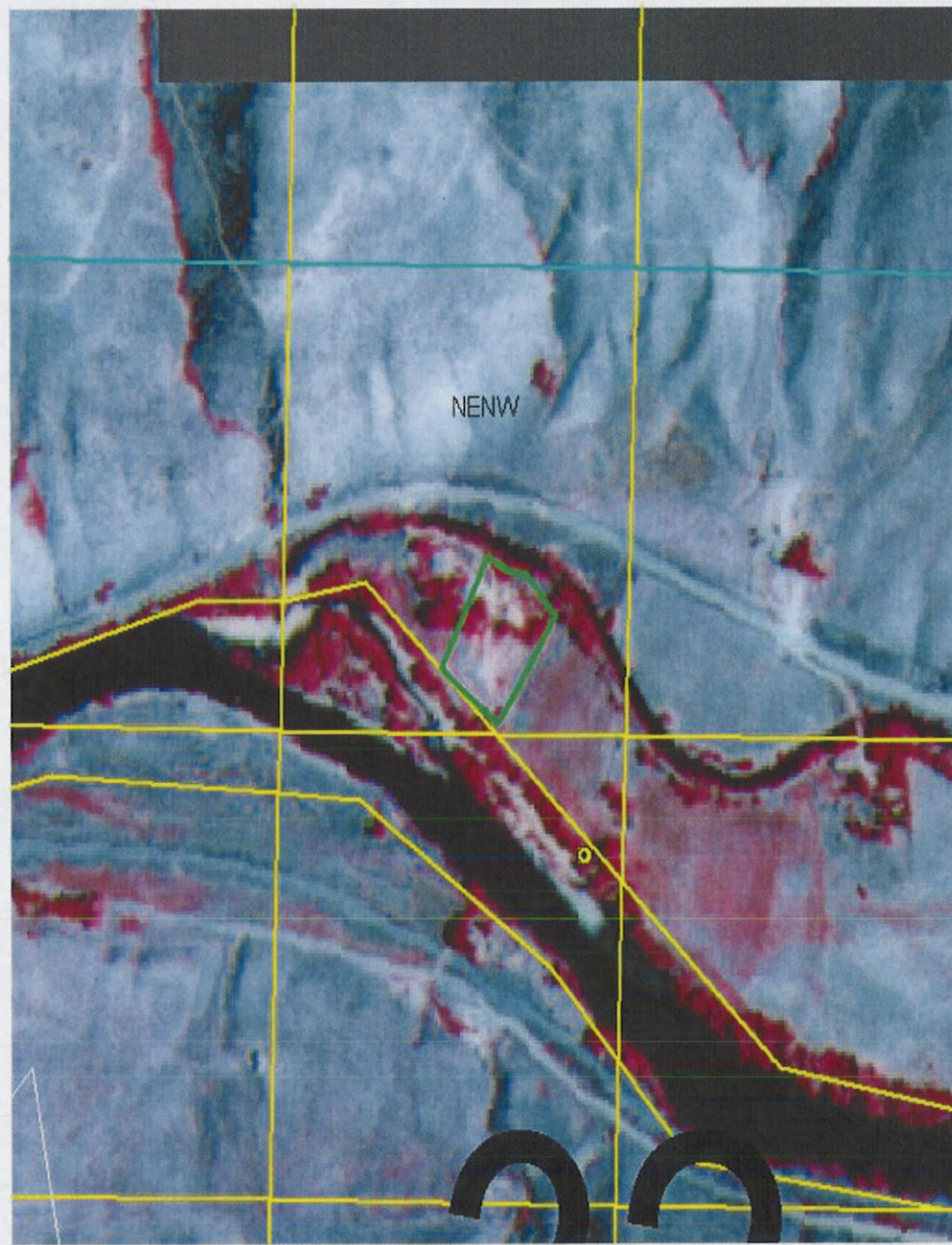
Claim No(s): 65-09015A

T7N, R2E, S 32

Prepared by: Sue Bock

Date: 1/31/2001

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



1987 NAPP Photo

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: A65-09015A
Date Received: 11/14/1988
Receipt No: X999999
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES C. COCHRANE 208-793-2408
Address: RT. 1, BOX 14A
HORSESHOE BEND, ID 83629
OR
Name: JOAN C. COCHRANE 208-793-2408
Address: RT. 1, BOX 14A
HORSESHOE BEND, ID 83629
2. Date of Priority: JUN 01, 1910
3. Source: PAYETTE RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
07N 02E 26 5 BOISE
5. Description of diverting works:
POWER CANAL
6. Water is used for the following purposes:
Purpose From To C.F.S. (or) A.F.A.
IRRIGATION 04/01 11/01 0.040
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 5.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

A65-09015A

Page 1

Date: 11/14/88

25x10

32x10

25x10

32x10

THE STATE OF IDAHO,

NUMBER: 39576

ber: A65-09015A
ved: 11/14/1988
x999999
V:

208-793-2408

208-793-2408

RIVER

County
BOISE

or) A.F.A.

Annum.

11/14/88

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	02E	32	NE NW	1	IRR	2.0
Section Acres						2.0
Total Acres						2.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date:

STATE OF IDAHO
Decree Plaintiff

vs

A & C CORP., ET AL.
Decree Defendant

A65-09015A

Page 2

Date: 11/14/88

25X10

32X10

25X10

32X10

15. 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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): James C. Cochran Date: Nov. 14, 1988

James C. Cochran Date: 11/14/88

State of Idaho

County of Ada

Subscribed and sworn (or affirmed) before me this 14TH day

of NOVEMBER 19 88

Jeff P. [unclear]
Notary Public

Seal

Residing at BOISE, IDAHO

My Commission Expires 11/8/1994

A65-C9015A

Page 3

Date: 11/14/88

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

10/16/2001

WATER RIGHT: 65-9015A

NAME AND ADDRESS: JAMES C COCHRANE
115 RIVERSIDE DR
HORSESHOE BEND ID 83629

JOAN C COCHRANE
115 RIVERSIDE DR
HORSESHOE BEND ID 83629

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.04 CFS
9.0 AFY

PRIORITY DATE: 06/01/1910

POINT OF DIVERSION:

T07N R02E S26 SWSW Lot 5 Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.040 CFS 9.00 AFY

PLACE OF USE: IRRIGATION Within BOISE County
T07N R02E S32 Lot 1 NENW 2.0

2 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

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

In Re SRBA	)	SUBCASE NO. 65-9015A
	)	
Case No. 39576	)	
	)	
_____	)	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING

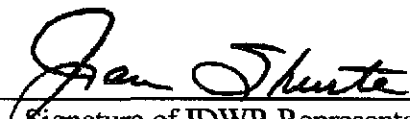
IDWR has completed the following Administrative proceeding: CHANGE OF ADDRESS

Name and New Address of Claimant:
James C Cochrane
Joan C Cochrane
115 Riverside Dr
Horseshoe Bend ID 83629

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: October 19, 2001



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on October 19, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
James C Cochrane
Joan C Cochrane
115 Riverside Dr
Horseshoe Bend ID 83629
3. One Copy to:
Each party in the subcase or attorney of record:
N / A
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

September 27, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES C COCHRANE
JOAN C COCHRANE
115 RIVERSIDE DR
HORSESHOE BEND ID 83629

RE: Snake River Basin Adjudication (SRBA)

Water Rights #65-9015A and 65-13445

Dear Water Right Holders:

cc: W.A.
Record modified 10-11-01
js

RECEIVED

OCT 12 2001

WATER RESOURCES
WESTERN REGION

Mail we sent you was returned to us by the Postal Service. The Postal Service advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list **any other water rights you have**, and return this letter by **October 12, 2001**. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

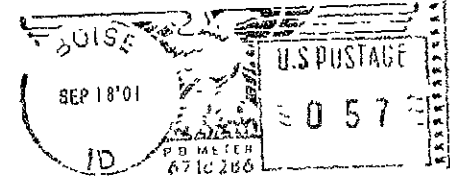
Water Right Holder's Signature

James C. Cochrane

Telephone No.

793-2408 or 793-3128

ADDRESS SERVICE
REQUESTED



65-9015A Mc
65-13445 WR

RECEIVED

SEP 24 2001

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

1301 North Orchard St

P O Box 83720

Boise, ID 83720-0098

(208) 327-7900



REASON CHECKED

Unclaimed _____ Refused _____

Attempted-Not known _____

Insufficient Address _____

No such street _____ number _____

No such office in state _____

Do not return in this envelope

JAMES C COCHRANE

JOAN B COCHRANE

BOX 14A

HORSESHOE BEND ID 83629

FORWARDING ORDER HAS
EXPIRED. **RETURN TO SENDER.**
NEW ADDRESS FURNISHED BY THE
POSTAL SERVICE.

115 Riverside Dr
HSB Id 83629



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season"

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

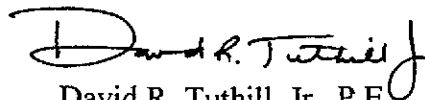
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim.

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA
3. You must not have filed a stockwater claim with the surface water irrigation claim

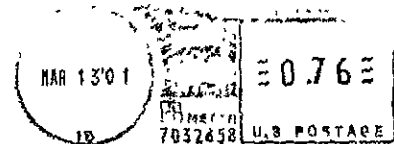
If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,


David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



65-9015A

JAMES C COCHRANE

JOAN C COCHRANE
ET AL

STREET AND/OR NUMBER HAS BEEN
CHANGED BY LOCAL AUTHORITIES
ONE YEAR TIME LIMIT HAS EXPIRED
RETURN TO SENDER

RECEIVED

MAR 15 2001

WATER RESOURCES
WESTERN REGION

Hwy 55 Horseshoe Bend 83629
793-2408

sent again 3/15/01

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-9015A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES C COCHRANE
Current Owner	JOAN C COCHRANE
	RT 1 BOX 14A
	HORSESHOE BEND, ID 83629
	(208)793-2408

Original Owner	CATHERINE H GANN
Original Owner	JEAN R LICK

Priority Date:	06/01/1910
Basis:	Decreed
Status:	Active

<u>Source</u>	<u>Tributary to</u>
PAYETTE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.04 CFS		
Total Diversion			0.04 CFS	9 AFA	

Location of Point(s) of Diversion.

PAYETTE RIVER	SWSW Lt 5	Sec. 26	Township 07N	Range 02E	BOISE County
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IRRIGATION Use:
Acre Limit: 2

Place(s) of use.

Place of Use Legal Description: IRRIGATION	BOISE County
--	--------------

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	02E	32	1	NENW	2									

Total Acres: 2

Conditions of Approval:

1	C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE SECTION 42-1412(6), IDAHO CODE.
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Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
sbock	1/31/01	SPLIT	SEE MEMO IN FILE FROM KAY WALKER HAD TO RECREATE THIS CLAIM AS WE COULD NOT LOCATE THE ORIGINAL LEAVING THE CLAIM NOS THE SAME AS TO TRY TO REDUCE CONFUSION. WHOLE NO. RECOMMENDED TO LICK FOR 3 ACRES.

Dates:

Licensed Date.
 Claim Received Date: 11/14/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court
 Objection Filed Date.
 SF5 Filed
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	1/31/01 6:25:23 PM	sbock			In Process
POD	1/31/01 6:26:39 PM	sbock			In Process
POU	1/31/01 6:27:20 PM	sbock			In Process
Priority Date	1/31/01 6:26:21 PM	sbock			In Process
Quantity	1/31/01 6:29:10 PM	sbock			In Process
Season	1/31/01 6:27:59 PM	sbock			In Process
Source	1/31/01 6:26:59 PM	sbock			In Process
Summary	1/31/01 6:32:12 PM		1/31/01 6:32:12 PM	sbock	Complete
Use	1/31/01 6:27:37 PM	sbock			In Process

Other Information:

Receipt Number(s): X999999
 State or Federal S
 Owner Name Connector: OR
 Water District Number 65
 Generic Max Rate per Acre:
 Generic Max Volume per Acre.
 Civil Case Number:
 Old Case Number
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed.
 DLE Act Number.
 Cary Act Number:
 Mitigation Plan: False

Verification Log.

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
Contacts	1/31/01 6:25:21 PM	sbock	1. Appointment has not been scheduled.
POD	1/31/01 6:26:37 PM	sbock	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (YES) The claimed Point of Diversion can be verified using the water right file. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POU	1/31/01 6:27:18 PM	sbock	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use 3. (YES) The Parent Right has a POU 4. (YES) The claimed POU can be verified using the water right file. 12. (NO) POU remark was not required 13. (NO) POU condition was not required.
Priority Date	1/31/01 6:26:19 PM	sbock	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
Quantity	1/31/01 6:29:08 PM	sbock	1. (NO) The basis of claim is not beneficial use

Season 1/31/01 6:27:57 PM sbock

2. (NO) The basis of claim is not a posted notice
3. (YES) The parent right has a diversion rate and/or diversion volume.
4. (YES) The claimed diversion rate and/or volume can be verified using the water right file
7. (YES) The parent right has an annual diversion volume limit.
8. (YES) Irrigation is a purpose of use.
9. (NO) Quantity remark was not required.
10. (NO) Quantity condition was not required.
1. (NO) The basis of claim is not beneficial use.
2. (YES) The parent right has a period of use.
3. (YES) The claimed Period of Use can be verified using the water right file.
12. (YES) Irrigation is the purposed use.
14. (NO) The period of use on the decree, license or transfer is not shorter on either the start or end date than allowable under IDWR's current standard
15. (NO) Period of Use remark was not required
16. (NO) Period of Use condition was not required.

Source 1/31/01 6:26:58 PM sbock

1. (NO) The basis is not beneficial use
2. (YES) Parent right has a source
3. (YES) The claimed source can be verified using the water right file.
8. (YES) The source is surface water
9. (YES) The source is a standard source.
10. (NO) Source remark was not required
11. (NO) Source condition was not required.

Summary 1/31/01 6:32:06 PM sbock

1. (NO) The basis of the claim is not beneficial use
3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture.
5. (YES) General remark was required
6. (NO) Explanatory remark was not required
7. (NO) Additional condition was not required.
8. (YES) Wanted to view the recommended right.
9. (YES) This is a split right.
10. (NO) This is not a combined right.
11. (NO) Documents were not linked or attached to this file.
12. (YES) Set the verification date.

Use 1/31/01 6:27:35 PM sbock

1. (NO) The basis of claim is not beneficial use.
2. (YES) The parent right has a purpose of use.
3. (YES) The claimed purpose of Use can be verified using the water right file.
11. (NO) Purpose of Use remark was not required
12. (NO) Purpose of Use condition was not required.

AJ5809NP
No. A65-09015A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/30/01
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES C COCHRANE	06/01/1910	IRRIGATION	04-01 11-01	0.040 CFS	90
C	JOAN C COCHRANE					90
	RT 1 BOX 14A					
	HORSESHOE BEND ID 83629			TOTAL DIVERSION:	0.040 CFS	
	(208) 793-2408			CONSUMPTIVE USE:		5.00 AFA

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T07N R02E S26 Lot05

BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07N	02E	32	:																	2.0
																			2.0	
																			TOTAL ACRES	

POU County: BOISE

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

C18

DATE: 01/30/01
PAGE: 3

Misc: Water District Number: 65 Field Exam Fee:

Idaho Dept. of Water Resources

Claim No(s): 65-09015A

T7N, R2E, S 32

Prepared by: Sue Bock

Date: 1/31/2001



 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



1987 NAPP Photo

MEMORANDUM

DATE: 02-Jul-1992 11:19

TO: FILES A65-09015A AND A65-09015

FROM: KAY WALKER *KW*

RE: EXPANSION QUESTIONS

Joan Cochrane called this morning because she had received a letter from Orlin Clements of the Horseshoe Bend Hydro Project requesting proof of the split of this water right. The power project development had wiped out the old power canal which supplied water to the lands owned by Lick and Cochranes. The developers had put in another system for Jean Lick but refused to put in one for Cochranes until they supplied information requested in their letter.

In looking at the files, I noticed that Jean R. Lick had claimed 5 acres under Rt. A65-09015 which is the same amount of land originally decreed. When Claim A65-09015A was filed (prior to filing by Jean R. Lick) the Cochranes claimed 2 acres which they had purchased from Ms. Lick. It appears to me that Ms. Lick claimed the right as previously decreed and ignored the fact that she had sold two acres to the Cochranes. Assuming that this was correct and with Mrs. Cochranes input on the matter, I told Mrs. Cochrane to send Orlin Clements a copy of her warranty deed and any other document that showed she owned 2 of the 5 acres claimed by Ms. Lick. Mrs. Cochrane stated that the water right number was possibly shown on her Ernest Money Agreement and she would try to locate a legible copy of that agreement.

Mrs. Cochrane will also send documentation to my attention which will substantiate their claim on this decreed water right when she supplies the information to Orlin Clements.

MICROFILMED
SEP 23 1992