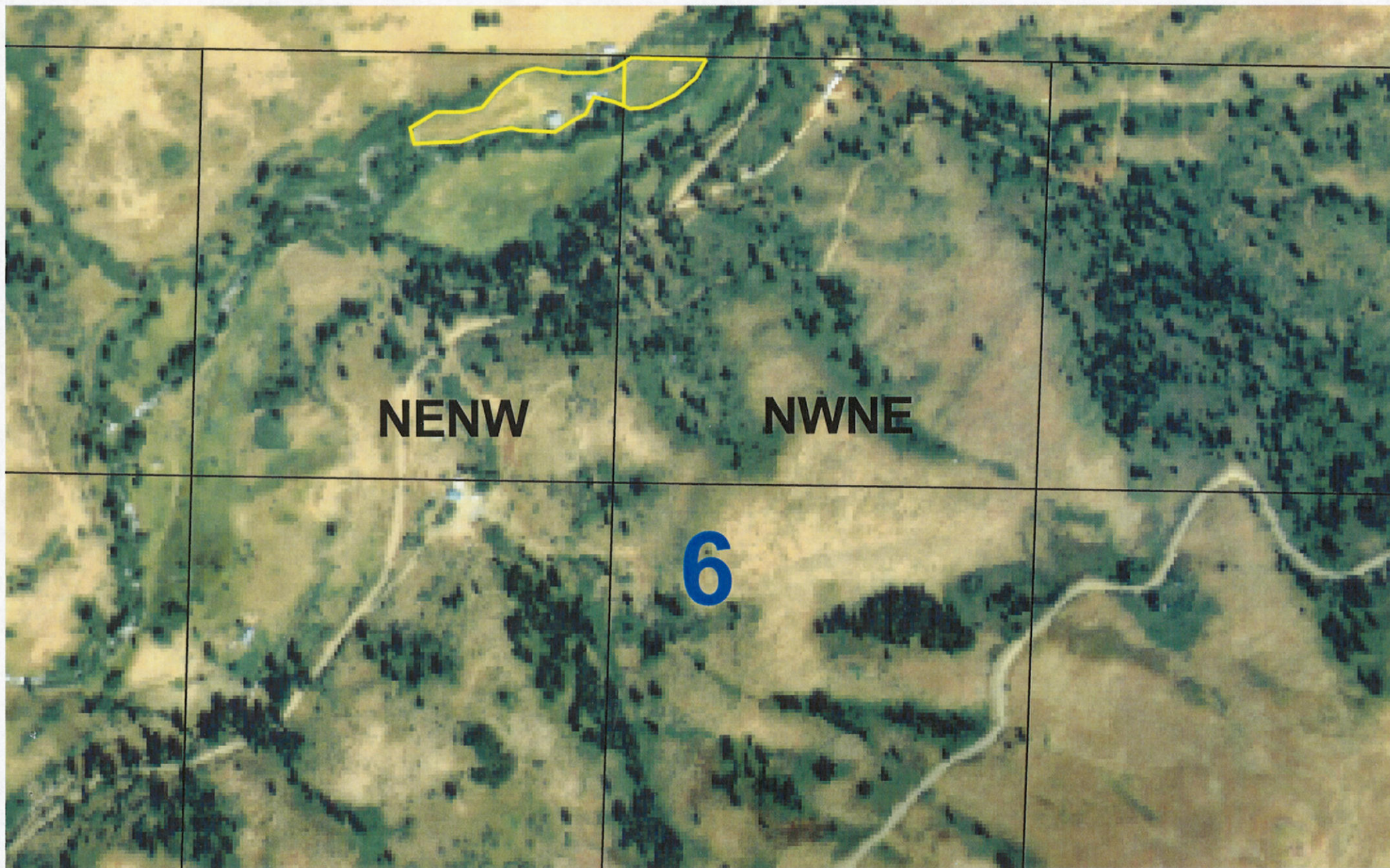


PLACE OF USE FOR 65-22452
T11N, R02E



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 65-22452
Date Received: 5/18/01
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

HOWARD ALLEN COLE Phone: (208)584-3377

31997 SECOND FORK RD
OLA ID USA 83657

WILMA JUNE COLE Phone: (208)584-3377

31997 SECOND FORK RD
OLA ID USA 83657

2. Date of Priority: 05/01/1892

3. Source: SQUAW CREEK SECOND FORK Trib. to: SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
11N	02E	6	NW	NE	2	GEM	
11N	02E	6	NE	NW	3	GEM	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 8 Dairy Cattle; 10 head various livestock

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	02E	6	NW	NE	2	STOCKWATER
			NE	NW	3	STOCKWATER

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

This claim is based on right no. 65-3095X.

15. Basis of Claim: Decreed

*Shelf
mel*

RECEIVED

JAN 24 2002

WATER RESOURCES
WESTERN REGION

**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)

Case No. 39576)

A. Subcase 65-22452

(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:

David W. Gehlert (303 312-7352)

Trial Attorney, General Litigation Section

Environment and Natural Resource Division

U.S. Department of Justice

999 18th Street, Suite N 945

Denver, CO 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Howard Allen Cole & Wilma June Cole

Address: 31997 Second Fork Rd.
Ola, ID 83657

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**
Should be:
 2. ☐ **Source**
Should be:
 3. ☐ **Quantity**
Should be:
 4. ☐ **Priority Date**
Should be:
 5. ☐ **Point(s) of Diversion**
Should be:
 6. ☐ **Instream Flow Description**
Should be:
 7. ☐ **Purpose(s) of Use**
Should be:
 8. ☐ **Period of Year**
Should be:
 9. ☐ **Place of Use**
Should be:
11. **I object because:**
- ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

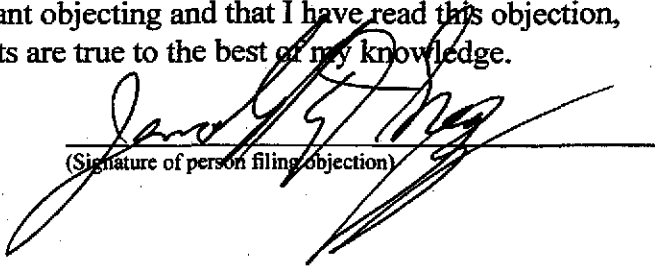
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

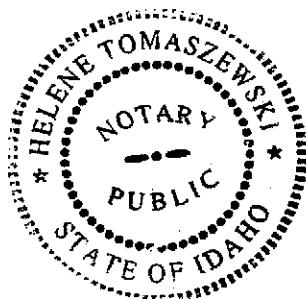
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

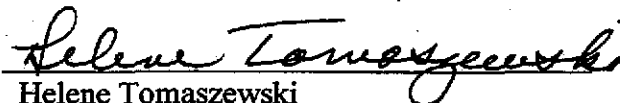

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002





Helene Tomaszewski

Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 01-16-2002

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Howard Allen Cole & Wilma June Cole

Address: 31997 Second Fork Rd.
Ola, ID 83657

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

05/22/2001

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

RIGHT NUMBER: 65-22452

NAME AND ADDRESS: HOWARD ALLEN COLE
WILMA JUNE COLE
31997 SECOND FORK RD
OLA, ID 83657

SOURCE: SECOND FORK SQUAW CREEK TRIBUTARY: SQUAW CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T11N R02E S6 LOT 2 NWNE Beginning of Stream Flow Within GEM County
T11N R02E S6 LOT 3 NENW End of Stream Flow Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE:

STOCKWATER Within GEM County
T11N R02E S6 LOT 2 NWNE T11N R02E S6 LOT 3 NENW

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

IN STREAM USE

8 DAIRY COWS & 10 HORSES AND RANGE CATTLE

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

05/22/2001

WATER RIGHT NO. 65-22452

Owner Type
Current Owner
Current Owner
Name and Address
HOWARD ALLEN COLE
WILMA JUNE COLE
31997 SECOND FORK RD
OLA, ID 83657
(208)584-3377

Priority Date: 05/01/1892
Basis: Decreed
Status: Active

Source
SECOND FORK SQUAW CREEK

Tributary to
SQUAW CREEK

Beneficial Use
STOCKWATER

Total Diversion

From	To	Diversion Rate	Volume	Subuse Code
01/01	12/31	0.02 CFS		
0.02 CFS				

Location of Point(s) of Diversion:

SQUAW CREEK
SQUAW CREEK

SWSE 6 31 12N 2E Claim is wrong
NWNE 112 Sec. 06 Township 11N Range 02E GEM County
NENW 113 Sec. 06 Township 11N Range 02E GEM County

STOCKWATER Use:

Number of other uses: 8 Dairy Cattle; 10 head various livestock

Claimed as in stream during non-irrigation season!

Place(s) of use:

Place of Use Legal Description: STOCKWATER

GEM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11N	02E	6	2	NWNE										
			3	NENW										

Remarks:

1.

This claim is based on right no. 65-3095X.

Dates:

Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

C18 + N11 + N13 + N15 + E01

Other Information:

Receipt Number(s):
State or Federal:
Owner Name Connector: OR
Water District Number:
Generic Max Rate per Acre:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-3095X

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HOWARD ALLEN COLE
Current Owner	WILMA JUNE COLE
	31997 SECOND FORK RD
	OLA, ID 83657
	(208)584-3377

Priority Date: 05/01/1892
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary to</u>
SECOND FORK SQUAW CREEK	SQUAW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	0.06 CFS		
Total Diversion			0.06 CFS		

Location of Point(s) of Diversion:

SECOND FORK SQUAW CREEK SWSE Lt 6 Sec. 31 Township 12N Range 02E GEM County



IRRIGATION Use:
Acre Limit: 3

Place(s) of use:

Place of Use Legal Description: IRRIGATION GEM 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>
11N	02E	6	2	NWNE	1									
			3	NENW	2									

Total Acres: 3

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.

Dates:

Licensed Date:
Claim Received Date: 01/09/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date: 01/21/1986
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

PLACE OF USE FOR 65-22452
T11N, R02E



RECEIVED

MAY 18 2001

WATER RESOURCES
WESTERN REGIONIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

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

Identification No. _____

Date Received 5-18-01Receipt Number N/A

RECEIVED

MAY 18 2001

NOTICE OF CLAIM
TO A
WATER RIGHTACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Department of Water Resources

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) Howard Allen Cole or Wilma June Cole Phone (208) 584-3377
Mailing Address 31997 Second Fork Rd OIA ID Zip 83657
- Date of Priority (Only one per claim) 05/01/1892 Month/Day/Year
- Source of water supply (Check one) () Groundwater or Other (X) (a) Second Fork Squaw Creek
which is tributary to (b) Squaw Creek Name or kind of source
- Location of point of diversion is: Township 11N Range 02E
Section 06 NW 1/4 of NE 1/4 of 2 1/4, Govt. Lot 2, BM.,
County of GEM
Additional points of diversion if any: T11N R02E S06 LOT3 NE NW
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For STOCK WATER purposes from 01/01 to 12/31 amount 0.02 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 0.02 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 8 DAIRY COWS - 10 OTHER CATTLE, HORSES, MULES
GOATS? HAMAS? SHEEP?

10. Place of use is: Township: 11 N Range 02 E
Section 06, NW 1/4 of NE 1/4, Govt. Lot 2, B.M.,

County of GEM for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any T11N R02E S06 LOT 3 NE NW

11. In which county (ies) are lands listed above as place of use located? GEM

12. Do you own the property listed above as place of use? Yes X No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: Pertains To IDWR Water Right # 65-3095X

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court Decree Date Plaintiff vs Defendant

If applicable provide IDWR Water Right Number See #14

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 2-page Claim Form

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Howard Allen Cole Date 5/16/01
Shirley June Cole Date 5/16/01

For Organizations: I do solemnly swear or affirm that I am Title

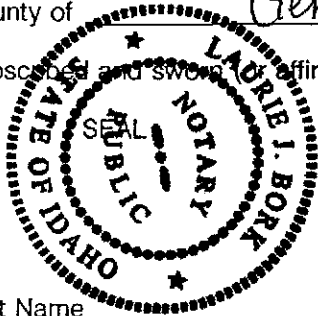
of Organization , that I have signed the foregoing
document in the space below as of Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Date

Title and Organization

State of Idaho/or Idaho }
County of Gem } SS.

Subscribed and sworn (or affirmed) before me this 16th day of May 2001



Notary Public Laurie J. Bork

Residing at Emmett ID

My Commission Expires 1/18/06

Last Name Ident No.

Copies: White-State, Yellow-Claimant