

10/17/2006

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

RIGHT NUMBER: 63-3110

NAME AND ADDRESS: COLE INC
C/O KEN COLE
9240 BIGFOOT RD
MELBA ID 83641

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.390 CFS
1,777.50 AFY

Right Nos. 63-3110 and 63-3394 are limited to a total combined diversion rate of 7.03 cfs and to a total combined annual diversion volume of 1777.5 AF.

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/31/1957

POINT OF DIVERSION:

T01N R02W S4 SWSW Within CANYON County
T01N R02W S9 NWNW Within CANYON County
T01N R02W S9 SWNW Within CANYON County
T01N R02W S9 SWSW Within CANYON County
T01N R02W S9 SESW Within CANYON County
T01N R02W S9 SWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	5.390 CFS 1,777.50 AFY
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T01N R02W S04	SWSW	38.00	T01N R02W S09	NWNW	40.00
T01N R02W S09	SWNW	40.00	T01N R02W S09	NWSW	37.00
T01N R02W S09	SWSW	40.00	T01N R02W S09	SESW	40.00
T01N R02W S09	SWSE	40.00	T01N R02W S16	NWNE	40.00
T01N R02W S16	NENW	40.00	T01N R02W S16	NWNW	40.00

395 ACRES TOTAL

DOMESTIC Within CANYON County

T01N R02W S16 NWNE

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: BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



Idaho Department of Water Resources

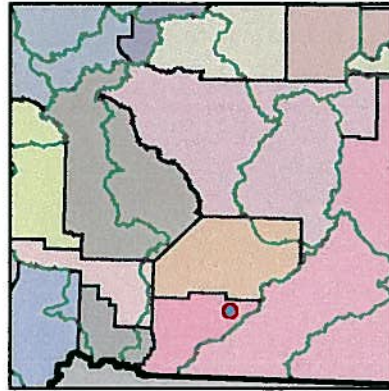
SRBA Recommendation:

63-3110

(Irrigation)

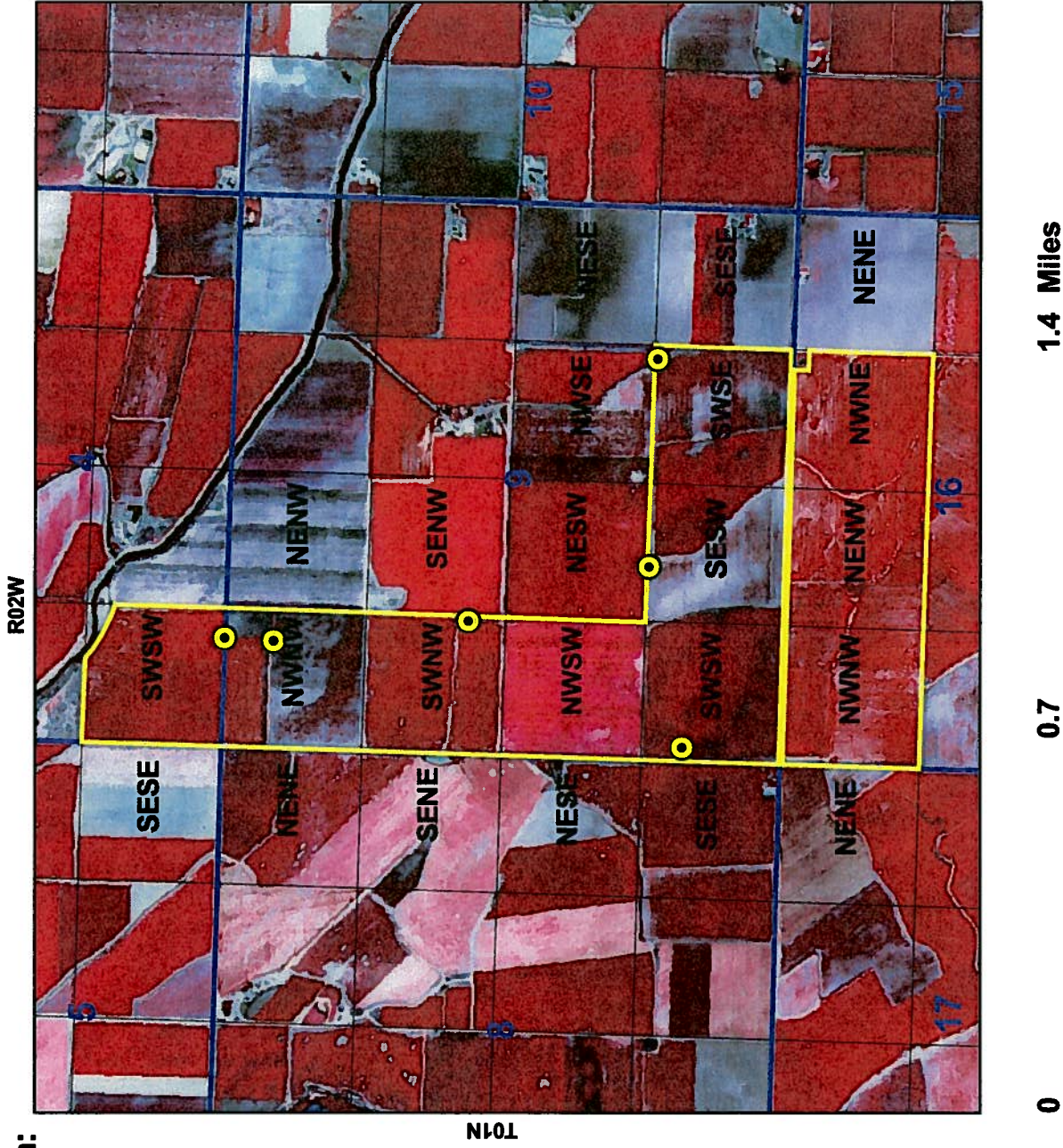
Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography



WR5809NP
No. 63-03110

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/07/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	COLE INC. 9072 OWYHEE DR. NAMPA ID 83686	07/31/1957	IRRIGATION	03/15 11/15	5.390 CFS	
TOTAL DIVERSION:					5.390 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:	T01N R02W S04	SWSW				CANYON County
	S09	NWNW	SWNW	SWSW	SESW	CANYON County
	S09	SWSE				CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
01N	02W	4	:					:					:			38		:						:	38.0
01N	02W	9	:					:		40	40		:		37	40	40	:			40			:	237.0
01N	02W	16	:		40			:		40	40		:					:						:	120.0
TOTAL ACRES																							395.0		

Pou County: CANYON

Other Water Rights with Same Point(s) of Diversion and Source:
63-03394

Other Water Rights Listing Overlapping Place(s) of use:
63-03394 63-04704

Conditions of Approval:

- 016 - See remarks for additional conditions of approval.
- T07 - The change authorized by this transfer shall be accomplished
 - within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause
 - for the director to issue an order to show cause why the approval
 - of the transfer should not be rescinded.
- T09 - 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.

Remarks: Tranfer No. 3696: The maximum combined rate of diversion under this Right and Right 63-3394 shall not exceed 7.03 cfs. The combined annual volume of water for irrigation under these rights shall not exceed 1777.5 afa.
Transfer No. 3845: adds two points of diversion.

Dates:	App. Received:	Priority Date:	07/31/1957
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	08/28/1979	

DIVERSION
VOLUME

1382.50 AFA

Stage: LICENSE

CANYON County
CANYON County
CANYON County

395.0

• •

107 - The right holder shall accomplish the change authorized by this
108 - transfer within one (1) year of the date of this approval.
109 - Failure of the right holder to comply with the conditions of this
- transfer is cause for the Director to rescind approval of the
- transfer.
109 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing

AJ5809NP
No. A63-03110

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/29/00
PAGE: 33

Conditions of Approval:
- Snake River Basin Adjudication.

Remarks: GEN P/D CHANGED PER TRANSFER NO. 3845 APPROVED ON 6/6/1991.
USE OF THIS RIGHT WITH RIGHT NO. 63-03394 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 7.03 CFS AND A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1777.5 ACRE FEET.
DATA ENTRY FOR P/D (TRANSFER NO. 3845) CORRECTED. 04/04/197 MM.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 03/05/90 SCHULD 09/23/93 HARRIS 09/27/93 SHURTE 03/30/95 POST-STD
04/04/97 MMINICUC

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. 463-03110

FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
---	---	---	------------------------	------------------------------------	----------------------------------	------------

<u>N</u>						
----------	--	--	--	--	--	--

<u>Y</u>						
----------	--	--	--	--	--	--

<u>N</u>						
----------	--	--	--	--	--	--

<u>Y</u>						
----------	--	--	--	--	--	--

<u>N</u>						
----------	--	--	--	--	--	--

--	--	--	--	--	--	--

--	--	--	--	--	--	--

<u>Y</u>						
----------	--	--	--	--	--	--

<u>N</u>						
----------	--	--	--	--	--	--

--	--	--	--	--	--	--

<u>N</u>						
----------	--	--	--	--	--	--

--	--	--	--	--	--	--

--	--	--	--	--	--	--

--	--	--	--	--	--	--

--	--	--	--	--	--	--

--	--	--	--	--	--	--

--	--	--	--	--	--	--

--	--	--	--	--	--	--

--	--	--	--	--	--	--

--	--	--	--	--	--	--

--	--	--	--	--	--	--

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES NO .

VERIFICATION CODES
TOPO MAP/ORTHO PHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

*IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: Domestic use not licensed. Not all P&B's data entered on SR&A claim, but they are all
on approved Xfer Form. Verify location of wells & access.

DATA ENTRY COMPLETED
BY DATE

FINAL RECOMMENDATION
BY DATE

5.390 CFS

Stage: LICENSE

CANYON County
CANYON County
CANYON County

395.0

U

63-03394

63-03394 63-04704

016 - See remarks for additional conditions of approval.

- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water rights(s) in the ongoing Snake River Basin Adjudication.

Transfer No. 3696: The maximum combined rate of diversion under this Right and Right 63-3394 shall not exceed 7.03 cfs. The combined annual volume of water for irrigation under these rights shall not exceed 1777.5 afa.

Dates:		
App. Received:		Priority Date:
Proof Due Date:		Proof Made Date:
Exam Made Date:		Exam Sent to S.O.:
Licensed Date:	08/28/1979	

App. Received:	07/31/1957
Proof Due Date:	Proof Made Date:
Exam Made Date:	Exam Sent to S.O.:
Licensed Date:	08/28/1979

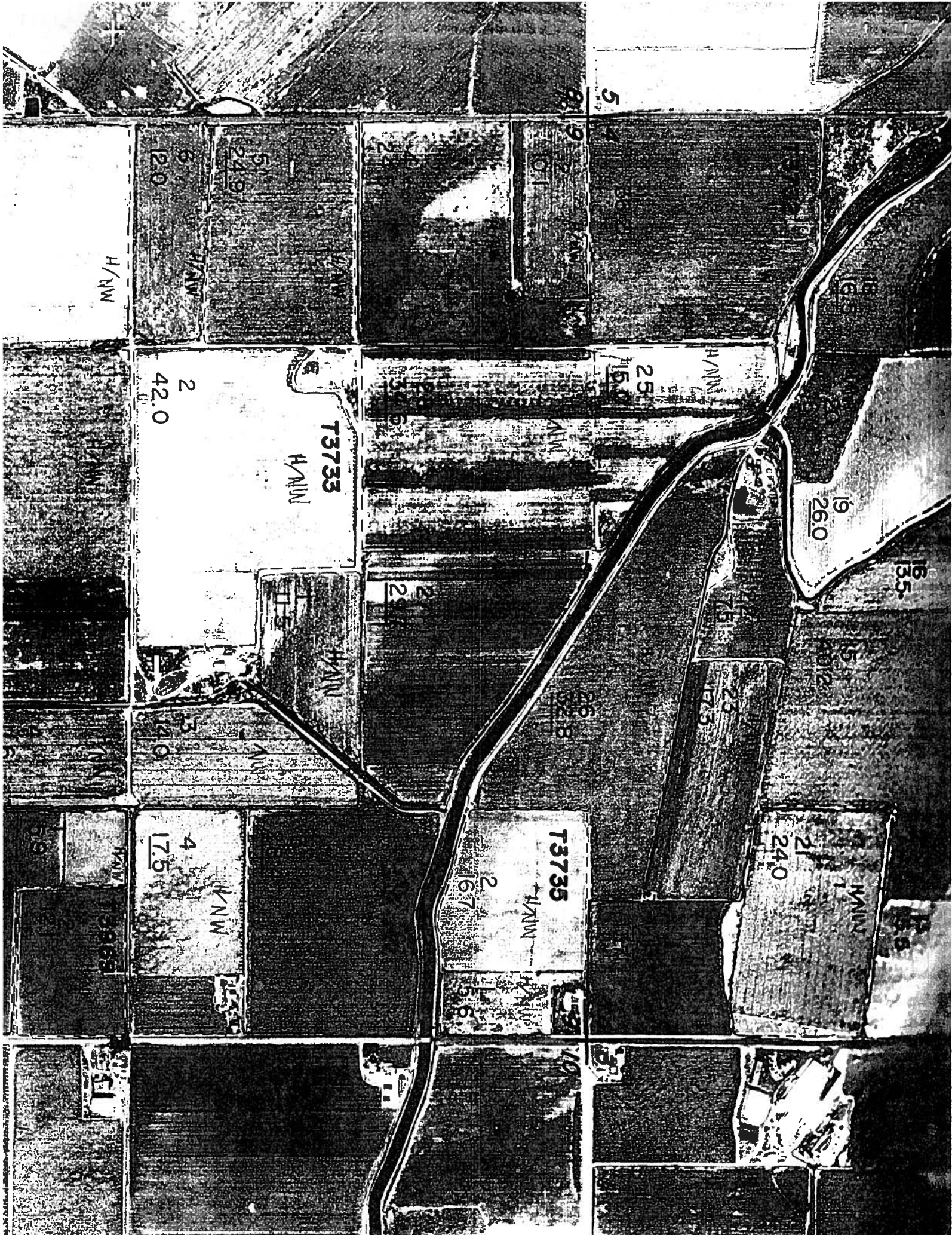
WR5809NP
No. 63-03110

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/20/95
PAGE: 17

Comments: Date: 06/04/1991 User-ID: LUKE Subject: TRANSFER
TRANSFER NO. 3845 ADDS TWO ADDITIONAL POINTS OF DIVERSION TO
RIGHT NO.S 63-3110 & 63-3394. TRANSFER NO. 3696 APPROVED ON
5/25/90 ADDED ONE POINT OF DIVERSION.

Audit: 05/06/85 05/01/88 CONVERT 05/31/90 CURTIS 06/04/91 LUKE
06/06/91 MILLER



Y6 (+156%) 1981
TOIN RO2W

AG 3-03110 07/31/1957

A63-03394 12/03/1963

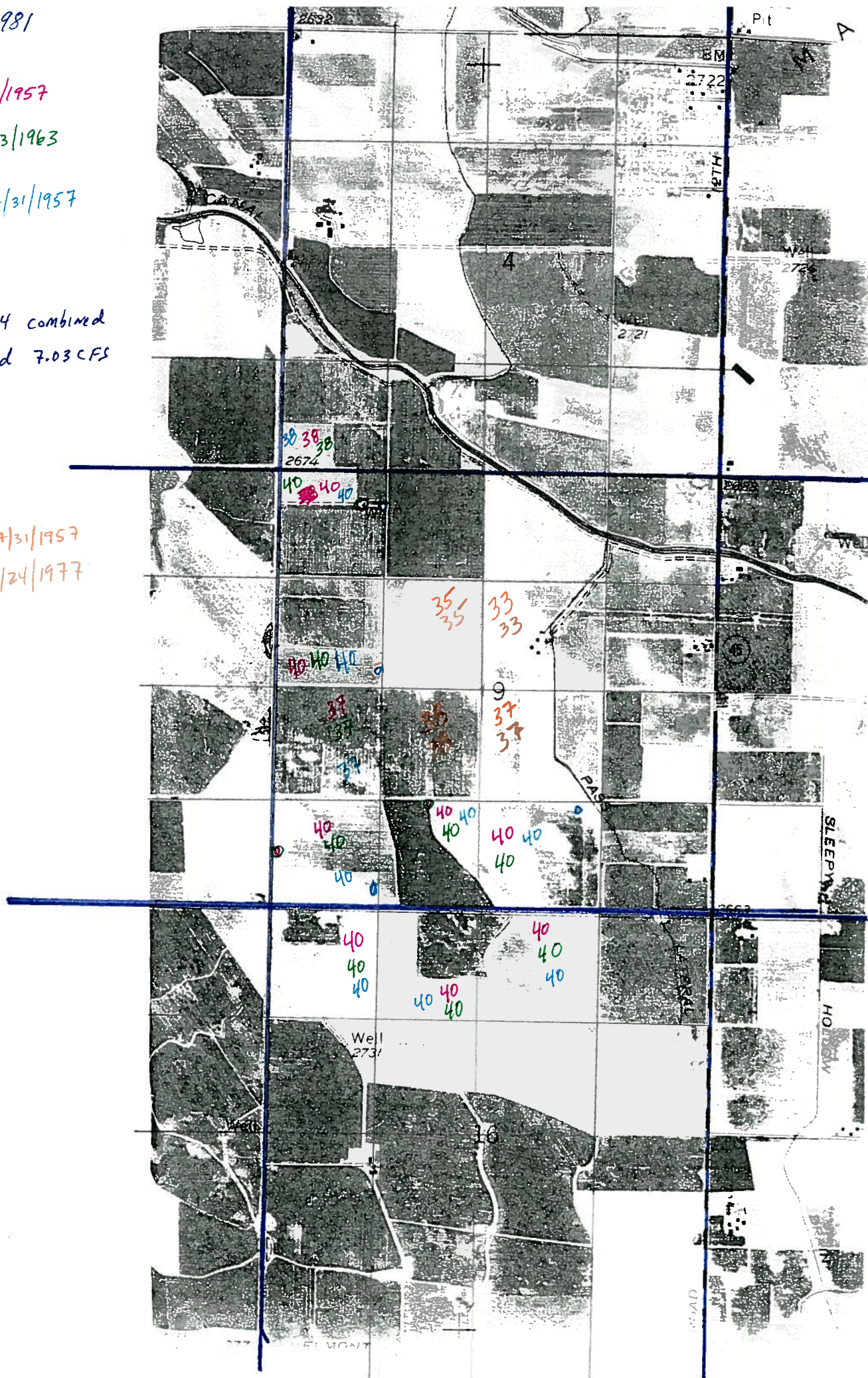
A63-04704 A 07/31/1957

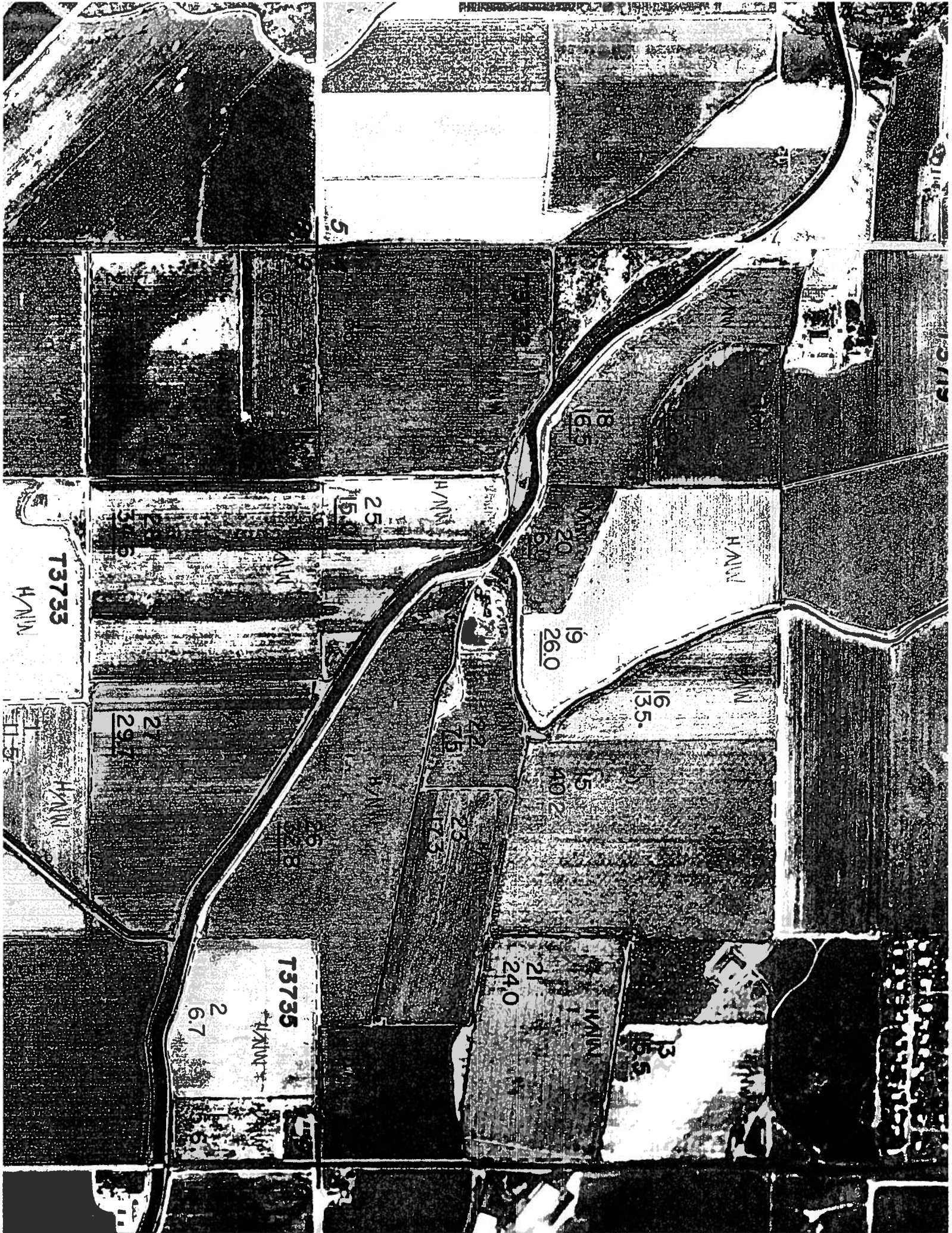
63-03110 + 63-03394 combined
shall not exceed 7.03 CFS

A63-04704B 07/31/1957

A63-08499 02/24/1977

46 NW + SW

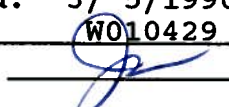




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A63-03110
Date Received: 3/ 5/1990
Receipt No: W010429
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: COLE INC 208-466-5784
Address: C/O KENNETH COLE
9072 OWYHEE DRIVE
NAMPA ID 83651

2. Date of Priority: JUL 31, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	4		SW	SW		CANYON
		9		SW	NW		CANYON
				SE	SW		CANYON
				SW	SE		CANYON

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/15	5.390		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 1382.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1

MICROFILMED
JUL 25 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	4	SW	SW		IRR	38.0
Section Acres							38.0
		9	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			NW	SW		IRR	37.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			SW	SE		IRR	40.0
Section Acres							237.0
		16	NW	NE		IRR	40.0
			NW	NE		DOMEST	
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
Section Acres							120.0
Total Acres							395.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

63-04704, 63-3394,

14. Remarks:

P/D CHANGED PER TRANSFER NO. 3845 APPROVED ON 6/6/1991.
USE OF THIS RIGHT WITH RIGHT NO. 63-03394 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 7.03 CFS AND A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1777.5 ACRE FEET.

15. Basis of Claim: LICENSE

Water Right Number: 27008

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: _____

MICROFILMED
JUL 25 1994

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
JUL 25 1994

Water right number - A63-03110 Prefix Translation: ADJUDICATION CLAIM

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
+ - - - - -								
Total Acres: 395.0								
+ - - - - -								
+ - - - - - Diversion Means - WELL AND PUMP								
+ - - - - - Non-Irrigation Use - D/1								
+ - - - - - Other Rights for Same Use - 63-04704, 63-3394,								
+ - - - - -								
P/D CHANGED PER TRANSFER NO. 3845 APPROVED ON 6/6/1991.								
USE OF THIS RIGHT WITH RIGHT NO. 63-03394 IS LIMITED TO A TOTAL								
COMBINED DIVERSION RATE OF 7.03 CFS AND A TOTAL COMBINED ANNUAL								
DIVERSION VOLUME OF 1777.5 ACRE FEET.								
+ - - - - -								
A6303110 Old Water Right Numbers								
+ - - - - -								
+ - - - - -								
T07 - The change authorized by this transfer shall be accomplished								
- within one (1) year of the date of this approval.								
T08 - Failure to comply with the conditions of this transfer is cause								
- for the director to issue an order to show cause why the approval								
- of the transfer should not be rescinded.								
T09 - 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.								
+ - - - - -								
Decree Plaintiff						+	Decree Defendant	+
								Decree Date
								00/00/0000
+ - - - - -								
+ - - - - -								
No Comments Found								
+ - - - - -								
Audit Fields								
09/27/93 SHURTE								
+ - - - - -								
Adjudication Rights Dates and Flags Area								
+ - - - - -								
Court Report Filing			00/00/0000	Field Inspection Made	00/00/0000	Civil Case Number	39576	
Objection Filed Date			00/00/0000	Field Inspection Flag		Old Case Number		
Response Filed Date			00/00/0000	Verified Date	00/00/0000	Old Judicial District		
Claim Received Date			03/05/1990	Last Amended Date	09/23/1993	Temporary Right	P	
				Receipt Number	W010429	Water District		
				POU Ownership Flag	Y	Federal/State Indicator	S	
				Name Connector	OR	Presumption Flag		
						Notice of Error Flag		

MICROFILMED
JUL 25 1994

APPLICATION FOR TRANSFER OF WATER RIGHT

RIGHT
APPROVED

Name of applicant Cole, Inc Phone 466-2022
Post Office address 9072 Owyhee Dr. Nampa ID 83686

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Add wells to restore production capacity

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|------------|-----------------------|------------------|----------------|
| 63-03110 | 7/31/1957 | 5.39 cfs | 1 hr | 3-15 to 11-15 |
| 63-03394 | 12/03/1963 | 1.64 cfs | 1 hr | 3-15 to 11-15 |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 7.03 cubic feet per second and/or _____ acre-feet per annum
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: Total of 6 P/D's

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	4	1N	2W	Canyon	New P/D's
		SW	NW	9	1N	2W		
		SE	SW	9	1N	2W		Also P/D's in: NWNW of SWSW Sec 9, 1N2W
		SW	SE	9	1N	2W		

5. Lands irrigated or place of use: No change

[illegible]

Total acres 395

PART 1

6. General Information:

a. Description of diversion system Presently 4 wells exist. Two new wells will be integrated into the system.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ 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:

N/A

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-3110 & 63-3394

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

See attached sheet for conditions of approval.

Witness my hand this 6th day of June, 19 91.

[Signature]
Chief, Water Allocation Bureau

MICROFILMED

JUL 25 1994

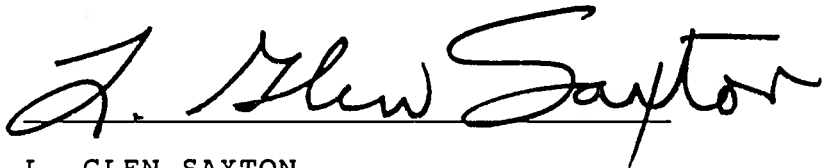
CONDITIONS OF APPROVAL

Transfer of Water Right No. 63-3110 & 63-3394

Transfer No. 3845

1. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. 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.
4. The combined rate of diversion and annual volume of water for irrigation use under these rights shall not exceed 7.03 cfs and 1777.5 acre feet per year.

Dated this 6th day of June, 1991.



L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

JUL 25 1994

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. 63-03110 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3696 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 Not req'd

3. Source of water Groundwater tributary to _____

4. Date or priority 7/31/1957

5. Water is used for the following purpose:

amount 5.39 cfs for irr purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.39 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	09	1N	2W	Canyon	
		SW	SW					
		SE	SW					

8. Lands irrigated or place of use:

No change

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	
1N	2W	4											38						38
		9						40	40			37	40	40			40		237
		16			40			40	40										120

MICROFILMED
Total acres 395

9. Describe any other water rights used for the same purpose as described above _____

JUL 25 1994

10. To your knowledge, has any portion of this water right undergone a period of five 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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

MICROFILMED

JUL 25 1994

Total acres _____

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. 63-03394 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3696 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 Not req'd

3. Source of water groundwater tributary to _____

4. Date or priority 12-3-1963

5. Water is used for the following purpose:

amount 1.64 cfs for 1 hr purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.64 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	09	1N	2W	Canyon	
		SW	SW					
		SE	SW					
		SW	SE					

8. Lands irrigated or place of use: No change

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	

MICROFILMED

JUL 25 1994
Total acres 295

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five 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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

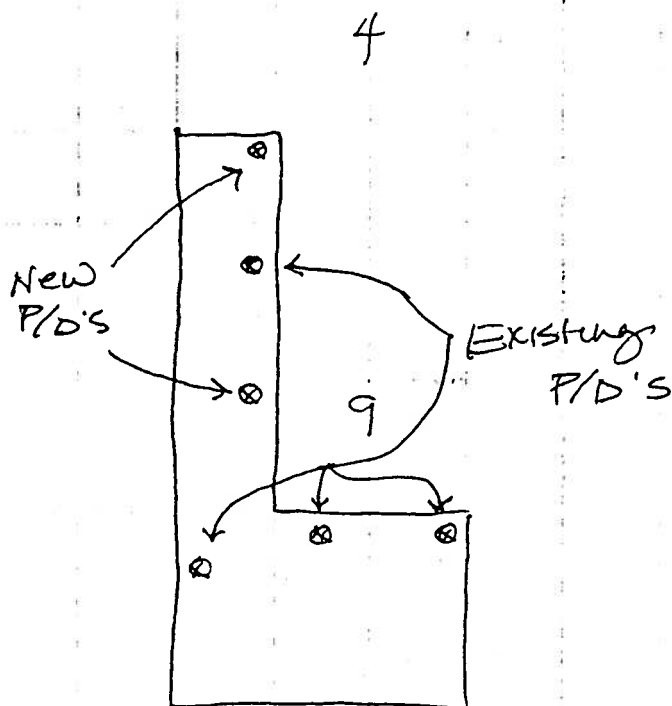
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

MICROFILMED
JUL 25 1994

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.



T1N

16

R2W

MICROFILMED

JUL 25 1994

PART 3

B. CHANGES IN NATURE OF USE N/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				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.

X Kenneth W. Cob press.
(Signature of Applicant)

Subscribed and sworn to before me this 3 RD day of APRIL, 19 91.

Pro Notary
Residing at Boise, Idaho

Ron Howerton
(Notary Public)

My commission expires December 8, 1994
My commission expires

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and — attachments

Received by GH Date 4-3-91 Protest filed by

Prelim. check by RZ Fee \$50 10013174

Receipted by GH Date 4-3-91

Published in Press-Tribune Copies of protest forwarded by

Pub. dates 5/1 & 5/8/91 Hearing held by Date

Watermaster recommendation requested on Recommended for ☒ approval ☐ denial

rec'd. by Det

Copy of transfer sent to lien holder

MICROFILMED

JUL 25 1994

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: A63-03110
Date Received: 1/31/1990
Receipt No: 481042 f
Received By: BAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: COLE INC 208-466-5784
Address: C/O KENNETH COLE
9072 OWYHEE DRIVE
NAMPA, ID 83651

2. Date of Priority: JUL 31, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	02W	9	NE	NW	NW		CANYON
			NW	SW	SW		CANYON
			NW	SE	SW		CANYON
		16	NE	SW	SE		CANYON
			NE	NW	NE		CANYON

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	10/15	5.390		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 1382.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1

A63-03110

Page 1

Date: 03/05/90

MICROFILMED
JUL 25 1994

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	02W	4	SW		SW		IRR	38.0
							Section Acres	38.0
		9	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			NW		SW		IRR	37.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SW		SE		IRR	40.0
							Section Acres	237.0
		16	NW		NE		IRR	40.0
			NW		NE		DOMEST	
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
							Section Acres	120.0
							Total Acres	395.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
63-04704, 63-3394,

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 27008

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: 1

For Organizations:

I do solemnly swear or affirm that I am President of Cole Inc, that I have signed the foregoing document in the space below as President of Cole Inc and that the statements contained in the foregoing document are true and correct.

X [Signature]
Signature of Authorized Agent
President Cole Inc
Title and Organization
3/5/90
Date

State of Idaho)
County of Cole) SS.

Subscribed and sworn (or affirmed) before me this 5 day
of March 19 90

[Signature]
Notary Public

Seal

Residing at [Signature]
My Commission Expires 8/16/95

POOR ORIGINAL

Gravel
Pit

Dry Lake
2682

Well
2731

ROAD

REPRODUCED

20

H A T

UNIT
8056

Total acres _____

PART 1

6. General Information:

a. Description of diversion system Presently 3 wells exist. A fourth is to be added to
intertie with the existing system.

N/A b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ 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:

N/A

d. Remarks:

Well drilling permit No. 63-W-90-018 was issued on 1/31/90, with no
withdrawal from the well allowed until this transfer is approved.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-3110/3394

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

1. The maximum combined rate of diversion under these rights shall not exceed
7.03 cfs. 2. The combined annual volume of water for irrigation use under these rights
shall not exceed 1777.5 afa.

Witness my hand this 25th day of May, 19 90.

J. Glen Saxton
Chief, Water Alloc. Bureau

JUN 11 1990

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. 63-03110 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ 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 Not req'd for P/d addition

3. Source of water Groundwater tributary to _____

4. Date or priority 7/31/1957

5. Water is used for the following purpose:

amount 5.39 cfs for Irr purposes from 3/15 to 11/15
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 5.39 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	9	1N	2W	Canyon	
		SW	SW	1	1	1		
		SE	SW	1	1	1		

8. Lands irrigated or place of use: No change

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 _____

9. Describe any other water rights used for the same purpose as described above 63-3394

10. To your knowledge, has any portion of this water right undergone a period of five 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 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. 63-03394 issued by the Idaho Department of Water Resources.

c. Claim No. _____ 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 Not req'd for p/d addn

3. Source of water Groundwater tributary to _____

4. Date or priority 12/3/1963

5. Water is used for the following purpose:

amount 1.64 cfs for Irr purposes from 3/15 to 11/15

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

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

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

6. Total amount of water under right 1.64 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	09	01N	02W	Canyon	
		SW	SW	09	1	1		
		SE	SW	09	1	1		

8. Lands irrigated or place of use:

No change

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 _____

9. Describe any other water rights used for the same purpose as described above 63-03110

10. To your knowledge, has any portion of this water right undergone a period of five 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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

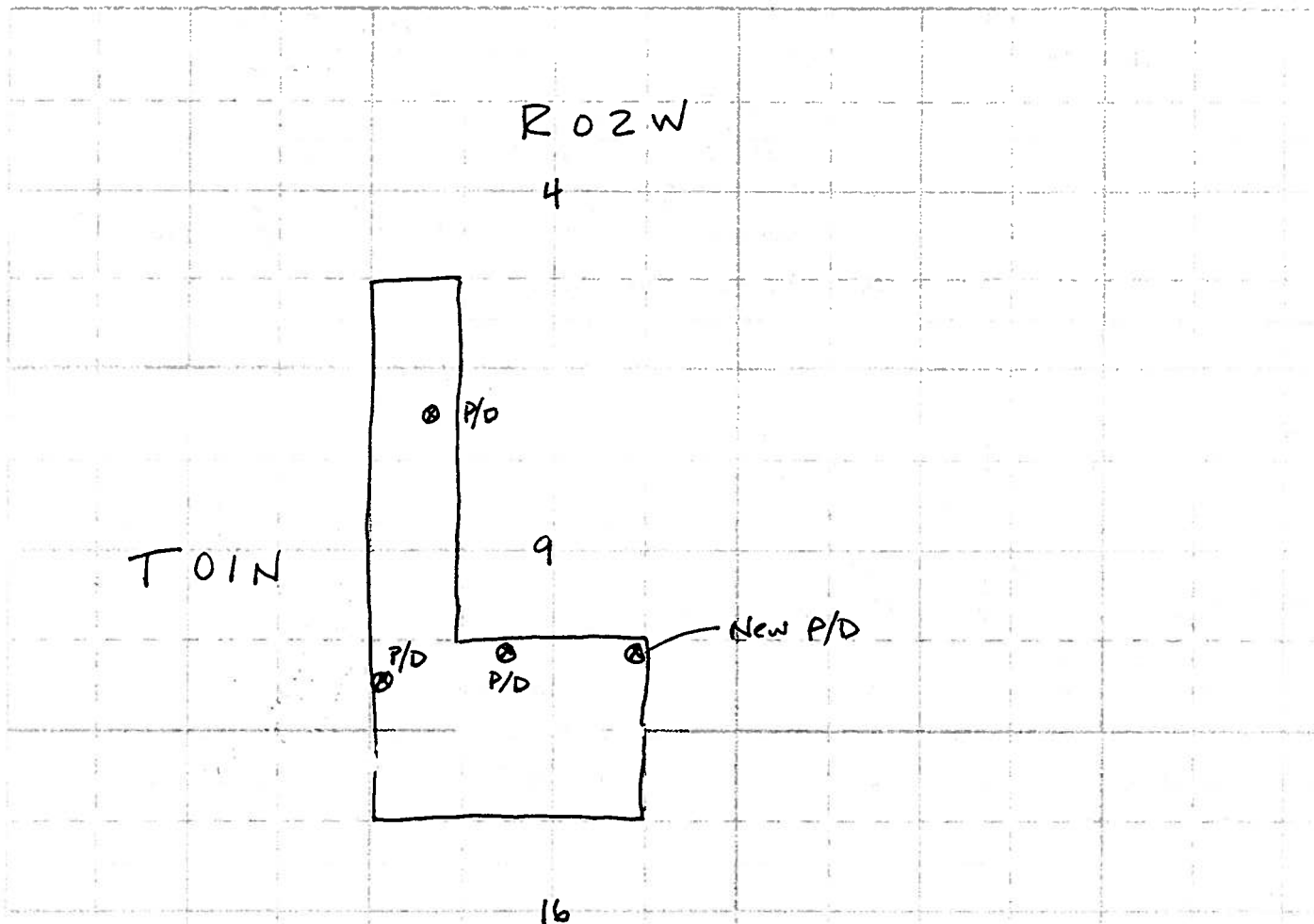
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

SE ¼
 JUN 04 1980

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.



MICROFILMED

JUN 04 1990

PART 3

B. CHANGES IN NATURE OF USE N/A

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.

Cole Inc. by Kenneth W. Cole pres
(Signature of Applicant)

Subscribed and sworn to before me this 31st day of Jan, 19 90.

David L. Tuttle Jr
(Notary Public)

My commission expires 9/15/1994

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and - attachments

Received by DRR Date 1/31/90

Prelim. check by SL Fee \$50 W008168

Receipted by DRR Date 1/31/90 \$50

Published in Press-Tribune

Pub. dates 2/21 & 2/28/90

Watermaster recommendation requested on N/A

_____ rec'd. _____

Copy of transfer sent to lien holder _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial

by DRR Gary

TJL 5-18-90

RECEIVED

MAY 4 1990

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
 County of Canyon)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

63-03394

NO: 63-03110

Notice is hereby given that Cole Inc. of Nampa has applied to the Department of Water Resources for a change of point of diversion of groundwater. The rights sought to be changed are evidenced by licenses and are recorded as follows:

Amount 63-03110 5.39 CFS

Priority 7/31/1957

Amount 63-03394 1.64 CFS

Priority 12/03/1963

Point(s) of Diversion: T1N R2W S.9 NWNW, SWSW, SESW

The water is used for irrigation and domestic purposes in T1N R2W S. 4 SWSW, S. 9 W1/2NW1/4 NWSW, S1/4 SW1/4, SWSE, S.16 NWNE, N1/4 NW1/4.

TO BE CHANGED AS FOLLOWS

Amount 7.03 CFS

Point(s) of Diversion: T1N R2W S.9 NWNW, SWSW, SESW, SWSE.

The water will be used for irrigation and domestic purposes.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before March 12, 1990.

R. KEITH HIGGINSON

Director

February 21, 28, 1990

Kathleen D. Steed

Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

That I am the Principal Clerk of the Idaho Press-Tribune, a daily (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper
 Two Times

—in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:
 February 21, 28, 1990

STATE OF IDAHO)
)
 COUNTY OF CANYON)

On this 28th day of February in the year of 1990, before me, a Notary Public, personally appeared Kathleen D. Steed, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Notary Public for Idaho
 Residing at Nampa

MICROFILMED

JUN 04 1990

RECEIVED

MAR 01 1990

Department of Water Resources
 Western Regional Office

State of Idaho

License and Certificate of Water Right

Water License No. G-27008

Amount 5.39 c.f.s.

Water District No.

Priority July 31, 1957

THIS IS TO CERTIFY that NORMAN R. COLE
of Kuna, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 31, 1957; that Permit No. G-27008
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
5.39 second feet, was issued thereunder on December 4, 1963, showing that said works
were completed on the 25th day of September, 1962; and that on the 25th
day of September, 1962,

NORMAN R. COLE

of Kuna, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of three wells
, a tributary of subterranean flow, for the purpose of irrigation and
domestic, under Use Permit No. G-27008 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

12 of Licenses at page 7792, on the 4th day of December, 1963;

The right hereby confirmed dates from July 31, 1957;

The Point of Diversion is located NW¹/₄, SW¹/₄, SE¹/₄, SW¹/₄,

in the -- 1/4 -- 1/4, Sec. 9, Tp. 1 N., R. 2 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 5.39 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	2 W.	4	SW ¹ / ₄ SW ¹ / ₄	40	38
			NW ¹ / ₄ NW ¹ / ₄	40	40
			SW ¹ / ₄ NW ¹ / ₄	40	40
			NW ¹ / ₄ SW ¹ / ₄	40	37
			SW ¹ / ₄ SW ¹ / ₄	40	40
		16	SE ¹ / ₄ SW ¹ / ₄	40	40
			SW ¹ / ₄ SE ¹ / ₄	40	40
			NW ¹ / ₄ NE ¹ / ₄	40	40
			NE ¹ / ₄ NW ¹ / ₄	80	80
			Total number of acres to be irrigated:		395

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

4th day of December, 1963.

/s/ RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

63 3110

63-3110

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34922
Permit No. G- 27008
District No.

Norman R. Cole
Rt. # 1, Kuna, Idaho

1. Name of Applicant: NORMAN R. COLE
Postoffice address: Rt. # 1, Kuna County: Ada State: Idaho
2. Quantity of water claimed: 8 c.f.s.
(a) Rate of withdrawal in cubic feet per second. 8 or Idaho
Miners' inches 400 or gallons per minute.
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow from 2 wells
4. Location of point of diversion or well is in the NW¹/₄ of the NW¹/₄ of Section 9
Twp. 1 N. , Rge. 2 W. , B.M., County of Canyon
5. Water is to be used for: Irrigation and domestic
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Turbine type pump, motor and ditches
8. Estimated cost of works: \$ 15,169.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 8 (cubic feet per second, inches or gallons per minute) is for new lands.

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	
1 N.	2 W.	4 9 16	40	40 40	40 40	40	40 240 120
Total number of acres to be irrigated - - - -							400

APPLICATION FOR AMENDMENT
POINT OF DIVERSION
Permit No. G-27008

Comes now NORMAN R. COLE and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-27008.

That the points of diversion are described in said Permit as being located: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 1 N., R. 2 W., B. M.

That he now requests that the points of diversion be changed to points located: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 1 N., R. 2 W., B. M.

That the reason for desiring to make such change is as follows: Insufficient water from two wells.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho, this 5th day of December, 1961

s/ NORMAN R. COLE

Date of Receipt at Department of Reclamation: Dec. 5, 1961

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-27008. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS, Deputy
State Reclamation Engineer

Recorded December 6, 1961

Permit No. G-27008
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that NORMAN R. COLE of Kuna, County of Ada, and State of Idaho, the holder of Permit No. G-27008, issued upon Application No. G-34922 bearing date of priority of July 31, 1957, authorizing the diversion of 8 second feet of waters of two wells County of Canyon, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 5.39 second feet of the waters of three wells from subterranean flow that the points of diversion of said waters NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 1 N., R. 2 W., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

39 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4; NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 16, T. 1 N., R. 2 W., B.M.

Witness my hand this 4th day of December, A. D. 1963.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: September 25, 1962

LICENSE ISSUED FOR 5.39 SEC. FT.

page 7792

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-27008

This proof is for Beneficial Use & Completion of Works In Water District No. _____

1. Name of applicant Norman R. Cole2. Source of water supply: 3 wells3. Location of point of diversion: Is in the NW¹/₄, NW¹/₄, SW¹/₄, SE¹/₄ of Section 9T. 1 N. R. 2 W., B.M. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: _____

#1 - 75HP, U. S. Motor #1095691. Layne-Bowler pump #23981 8" discharge - 295'x8" Column. Well-650'x12"-8" Cased 580'x12", plus 80'x10". H: 136'. dd-130'. 8"x15' discharge pipe to 30' dia. x 3 1/2" Pond. Temp 70° F.

#2 - 100HP US Holloshaft Motor #1237649. Jacuzzi Pump #Wm B460, 275'x8" column 8"x20' discharge to open ditch Well 410'x12" cased 410'x12", H:165', DD 78'.

5. #3 - 75 HP US Holloshaft Motor #1278912, Jacuzzi Pump

6. #WNF 915, 290'x8" column. 8"x400' discharge pipe to open ditch. Well 512'x12"-8", Cased 312'x12"-200'x8" H: 175', dd80'. 8"x400' discharge pipe to open ditch

7. 4 sump reclaim pumps with 7 1/2 and 5 HP motor with Jacuzzi Centrifugal Pumps 27008 umber
of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW¹/₄SW¹/₄, Sec. 4; W¹/₂NW¹/₄, W¹/₂SW¹/₄, SE¹/₄SW¹/₄, SW¹/₄SE¹/₄, Sec. 9; NW¹/₄NE¹/₄, N¹/₂NW¹/₄,

Sec. 16, T. 1 N., R. 2 W., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

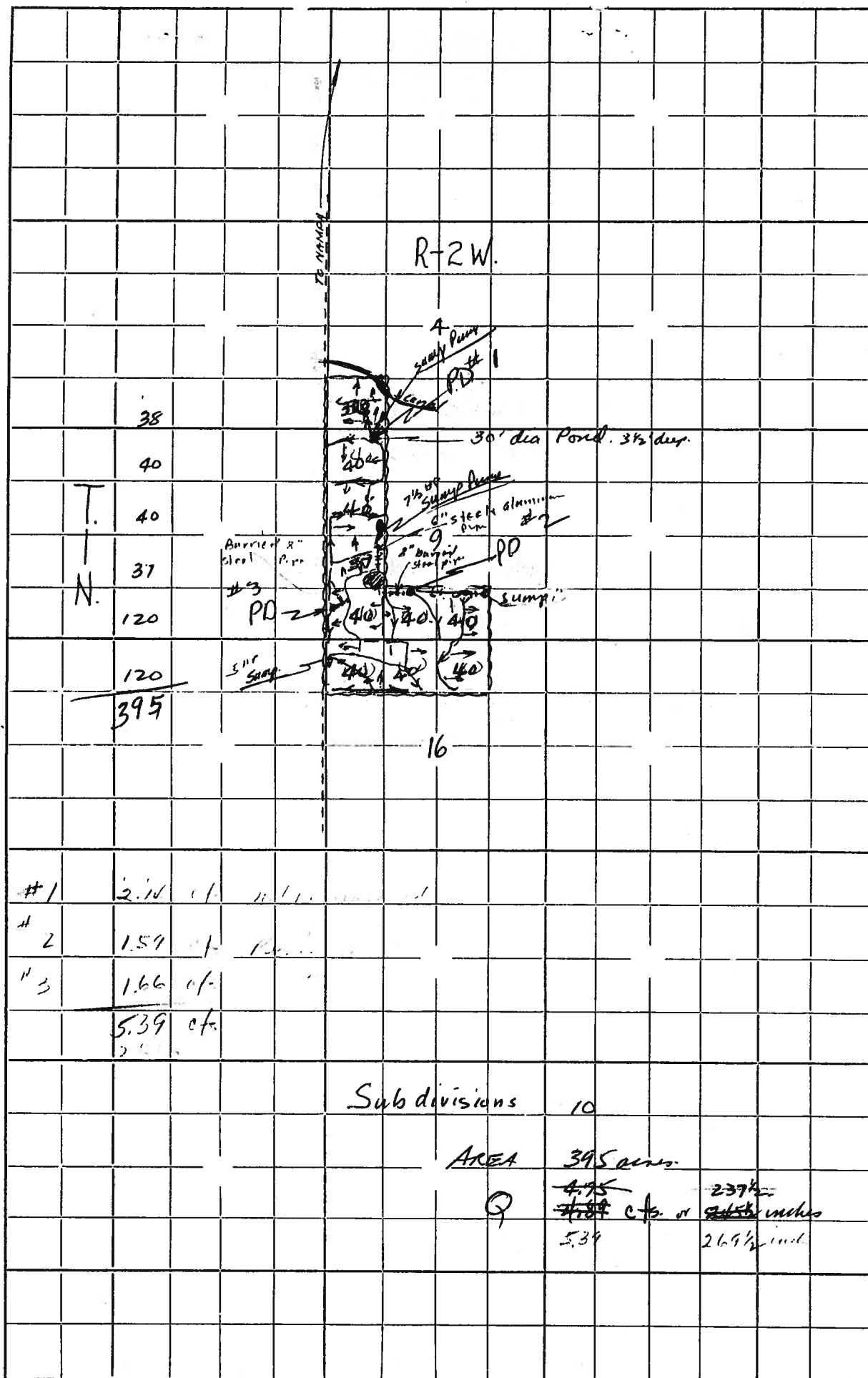
Remarks: Mr. Norman R. Cole along

Remains split using Spauldingicks and 1' corr. 114.
Weir 2 measurements at each pump 2-1-3

Measured with pygmy Current Meter (each well.)

This examination was made on the 1st day of May, 1963(Signed) Leona Johnson Examiner.

27008



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

27008



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 4, 1997

DEBBI
US BANK OF IDAHO - NAMPA
PO BOX 220
NAMPA ID 83653

RE: Snake River Basin Adjudication Claims for Cole Farms, Inc.

Dear Debbi:

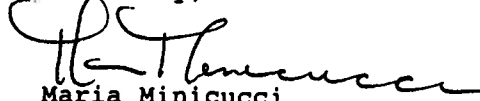
Enclosed please find reports which summarize the water rights for Cole Farms, Inc., as claimed in the Snake River Basin Adjudication (SRBA). All claims except numbers A63-04704A and A63-04704B are claimed as licensed.

Claim numbers A63-04704A and A63-04704B are based on water right number 63-04704. The claims were filed in the SRBA by two different parties, based on ownership. Water Resources numbered those claims by adding alpha suffixes to each claim. Those claims are now in the names of Cole, Inc. (A63-04704A), and Kenneth W. and Mary Beth Cole (A63-04704B). Together, these claims are for more water and less acres than the originally recorded right (63-04704). This discrepancy must be resolved by the owners.

Water right number 63-04047 was recorded in Department records but never verified by the Department. Consequently the owners are responsible for providing the Department with some documentation which supports the claimed priority date. We requested that information from Cole, Inc. on July 7, 1995, but received no response. The Department cannot recommend these SRBA claims to the court for decree without some evidence which supports the claimed priority date.

If you have any questions or need additional information please do not hesitate to contact me at this office.

Sincerely,


Maria Minicucci
Senior Water Agent

Enc: Profile reports: 63-04704, A63-04704A, A63-04704B, A63-03110
A63-03394, A63-08499
"Water Right Primer" pamphlet

Date Received

3/5/90

RECEIVED

approved

RECEIVED

MAR 13 1990

MAR 06 1990

State of Idaho
Department of Water ResourcesREQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)Department of Water Resources
Western Regional Office

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Cole Inc. (Ken Cole) () 466-5784
Name of Claimant Phone Number

Route Box 7148 9072 Owyhee Dr. Pampa Idaho 83651
Mailing Address City State Zip

Canyon March 1, 1990
County(s) where place of use is located Date claim originally due

A63-3110 A63-8499 A63-4708 A63-3394 W010429
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

Dave: Mr. Cole and I began work on his claims prior to the
deadline, however on the day we were to complete his work
he became ill. I recommended the extension of time to
wave the late fees. Bruce A. Schuch

Claimant requests an extension to Waiver of Late Fees, 19 90
Bruce A. Schuch, Cole Inc., 19 90
Signature Date of request

Pres.
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to March 20, 19 90

Signed this 11 day of March, 19 90

DAVID B. SHAW
Director or his Designated agent

DAVID B. SHAW

MICROFILMED

JUL 25 1994

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706