

07/01/2005

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

RIGHT NUMBER: 78-7055
NAME AND ADDRESS: MARY K COCUS
PO BOX 246
POLLOCK ID 83547

JACKIE D COCUS
PO BOX 246
POLLOCK ID 83547

SOURCE: SPRING TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.040 CFS
1.200 AFY

PRIORITY DATE: 07/11/1974

POINT OF DIVERSION:

T23N R01E S29 NENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY

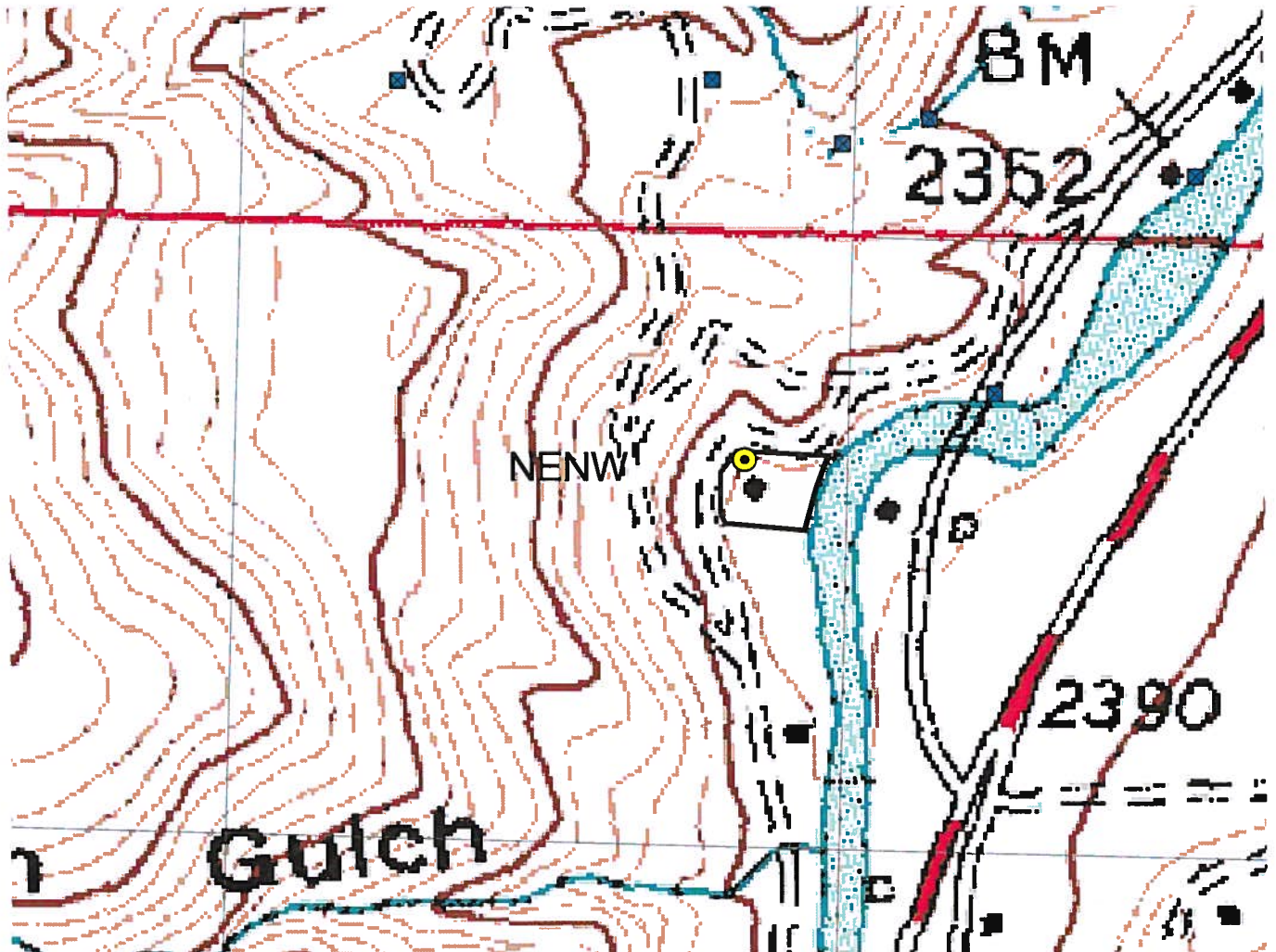
PLACE OF USE: DOMESTIC Within IDAHO County

T23N R01E S29 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.

78-7055



0 300 600 Feet



Section 2 9
T23N R1E



● Point of Diversion

□ Place of Use

Map prepared on July 1, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

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: A78-07055
Date Received: 7/14/1988
Receipt No: W000503
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACKIE D. COCUS 208-628-3359
Address: BOX 246
POLLOCK, ID 83547
AND/OR
Name: MARY K. COCUS 208-628-3359
Address: BOX 246
POLLOCK, ID 83547
2. Date of Priority: JUL 11, 1974
3. Source: SPRING Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 23N | 01E | 29 | NE | NE | NW | | IDAHO |
5. Description of diverting works:
PVC PIPE TO CATCH BASIN W/PRESSURE TANK
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|----------|-------|-------|--------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.040 | | |
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/1 HOMES W/DOMESTIC IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	01E	29	NE NW		DOMEST	

11. Place of use in counties: IDAHO

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: LICENSE

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A78 07055Date Received 07/19/88Receipt Number W000503

EGR

RECEIVED
JUL 14 1988

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Department of Water Resources

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Department of Water Resources

RECEIVED
JUN 27 1988

Please type or print clearly

1. Name of Claimant (s) JACKIE D. AND/OR MARY K. ^{Cocus} Phone (208) 628-3359Mailing Address Box 246 POLOCK, ID Zip 835472. Date of Priority (Only one (1) per claim) 11 July 19743. Source of water supply (a) SPRING
which is tributary to (b) LITTLE SALMON RIVER4. Location of point of diversion is: Township 23N Range 1E Section 29, NE 1/4 of NE 1/4 of NW 1/4, Govt. Lot —, B.M.,County of IDAHOAdditional points of diversion if any: NONE5. 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. PVC pipe to catch BASIN w/ PRESSURE TANK.6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive)For DOMESTIC purposes from 1/1 to 12/31 amount .02 (cfs)For IRRIGATION purposes from 4/1 to 10/31 amount .02 (cfs)7. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) DOMESTIC: 2 BUILDINGS, 1 house, 1 GUEST BLDG.

* 1 Household only - House has 1 bedroom, guest building is used as 2nd bedroom. For Family: Guest building is not.

Copies: White-State, Yellow-Claimant

MICROFILMED
OCT 06 1992

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
23N	1E	29					D											

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

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.
_____ or None (X)

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____

If applicable provide IDWR Water Right Number 78-7055

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Jackie D. Cocus Date X 06-17-88

Mary K. Cocus Date 6/17/88

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

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 17th day of June 1988

SEAL

Notary Public Wicky K. Lowe

Residing at Riggins, Idaho

My Commission Expires April 27, 1993

Last Name Cocus Ident No. 78-7055 Copies White-State, Yellow-Claimant

MICROFILMED
OCT 06 1992

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Cocus, Jackie D. & for Mark K.CLAIM IDENT. NO. A78-07053DATE RECEIVED 07/14/88CK # 289AMOUNT \$ 76.00

YES

NO

1. Is the name and address complete with zip code? ✓2. Is priority date entered? ✓

Is the water use exempt from Permit requirements? A Permit is required for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd). A Permit is required for surface water developed after May 20, 1971 (except for instream stockwater).

3. (a) Is a source entered? ✓(b) Is a tributary to entered? (if required) ✓4. Is the legal description of the p.d. complete? ✓5. Is there a description of the diverting works? ✓6. Are the water uses appropriate for the form? The short form limited to domestic and stockwater. Instream stockwater must use long form. ✓Is the period of use included? ✓Is a quantity claimed for each use? ✓7. Is a total quantity claimed entered? ✓8. Is a consumptive use required? ✓If required is a consumptive use entered? ✓9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. ✓10. Is (are) the place(s) of use entered? ✓11. Is (are) the county(ies) entered? ✓12. Is the ownership of p.u. checked? ✓13. Are other water rights listed or "none" checked? ✓14. Are remarks required? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ✓15. Is the basis of the claim checked? ✓16. Is the claim signed by the claimant?
Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ✓Has the claim been signed, sealed, and dated by a notary? ✓Is the fee enclosed correct? ✓Should this claim be receipted and data entered? ✓If this claim is based on an existing water right, has the identification number been entered? ✓

Revised 6-27-88

Claim checked by: LWComments: Add. remarks #9MICROFILMED
OCT 06 1992

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Cocus

CLAIM IDENT. NO.

478-07184

DATE RECEIVED

6/27/88

CK #

289

AMOUNT \$

76

1. Is the name and address complete with zip code?

YES

NO

2. Is priority date entered?

Is the water use exempt from Permit requirements? A Permit is required for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd). A Permit is required for surface water developed after May 20, 1971 (except for instream stockwater).

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required)

4. Is the legal description of the p.d. complete?

5. Is there a description of the diverting works?

6. Are the water uses appropriate for the form? The short form limited to domestic and stockwater. Instream stockwater must use long form.

Is the period of use included?

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. Is a consumptive use required?

If required is a consumptive use entered?

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim.

10. Is (are) the place(s) of use entered?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" checked?

14. Are remarks required? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

15. Is the basis of the claim checked?

16. Is the claim signed by the claimant?

Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

Has the claim been signed, sealed, and dated by a notary?

Is the fee enclosed correct?

Should this claim be receipted and data entered?

If this claim is based on an existing water right, has the identification number been entered?

Revised 6-27-88

Claim checked by:

Comments:

MICROFILMED
OCT 06 1992

RECEIVED

JUL 14 1988

12 July 1988

Department of Water Resources

Dear Mr. Shaff,

In response to your letter of 8 July 1988.

Regarding Notice of Claim to Water right For
license numbers 78-7055 - please note
Explanation under Item #9. For license
Number 78-7184 please note that item
#8 has been completed.

Yours truly,
Jack & Mary Coors

If you need to have further information
our phone number is 628-3359.

MICROFILMED
OCT 06 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

July 11, 1988

R. KEITH HIGGINSON
Director

J.D. and/or Mary K. Cocus
P.O. Box 246
Pollock, ID 83547

Dear Claimant(s):

This office has received your Notice of Claim(s) to a Water Right for the use of water within the Snake River Basin Water System. However, due to the item(s) checked below, we cannot process this claim(s). We are returning the claim to you along with your check # 304 in the amount of \$25.00 for the adjudication filing fee. The following items need to be corrected or added:

Item No. 2 & 3 - Priority Date and Source -An adjudication claim filed on a water use from a groundwater source with a priority date(date of first use) after March 25, 1963, for uses other than a single family domestic and/or stockwater use not exceeding 13,000 gallons per day, may be rejected at the time of review. The mandatory cutoff date for filing water rights on old uses from a groundwater source, other than the above exception, was March 25, 1963. The form to file for this use would be an application for permit. The adjudication claim can still be filed if you wish, however, you may run the risk of losing your water right if the claim is rejected. The application for permit would also protect your water right. Enclosed is an application for permit with instructions for your use in this matter. Please note that there is no deadline for filing applications, however, your priority date will be the date the application is received. See Permit Requirements on the Instructions for Filing sheet enclosed.

X
Item No. 2 & 3 - Priority Date and Source -An adjudication claim filed on a water use from a surface water source with a priority date(date of first use) after May 20, 1971, for uses other than a single family domestic and/or stockwater use not exceeding 13,000 gallons per day, may be rejected at the time of review. The mandatory cutoff date for filing water rights on old uses from a surface water source, other than the above exception, was May 20, 1971. The form to file for this use would be an application for permit. The adjudication claim can still be filed if you wish, however, you may run the risk of losing your water right if the claim is rejected. The application for permit would also protect your water right. Enclosed is an application for permit with instructions for your use in this matter.

MICROFILMED
OCT 8 1992

Please note that there is no deadline for filing applications, however, your priority date will be the date the application is received. See Permit Requirements on the Instructions for Filing sheet enclosed.

_____ Item No. 3 - Priority Date -If your water use has been developed after the date of commencement of the Snake River and tributaries Adjudication, November 19, 1987, no filing is required. It is your option to file if you would like. Please return the enclosed claim form and check if you still wish to file. If you do not file, your priority date will still be the date your well was first used.

_____ Item No. 4 - Point of Diversion -The point of diversion listed on this claim is not in the correct form for legal descriptions. Diversion points must be listed by quarter-quarter(40 acre tract), section, township, and range. To aid you in locating your exact point of diversion, enclosed is a copy of the topographic map for your area. Please mark the location of the point of diversion on this map and then check the section grid also enclosed to see which quarter-quarter your diversion point is in. On a spring source, the point of diversion must be designated to the quarter-quarter-quarter(10 acre tract). Please return the map with your claim and fee.

_____ Item No. 10 - Place of Use - The place of use listed on this claim is not in the correct form for legal descriptions. Places of use points must be listed by quarter-quarter(40 acre tract), section, township, and range. To aid you in locating your exact place of use, enclosed is a copy of the topographic map for your area. Please mark the location of the place of use on this map and then check the section grid also enclosed to see which quarter-quarter your place of use is in. Please return the map with your claim and fee.

_____ Adjudication Claim Form No. 42-1409(2)a., needs to be filed instead of Claim Form No. 42-1409(2)b., due to the following reasons:

See enclosed instruction sheet under the _____ section. The fee schedule is also in the instructions sheet to help you figure the fee needed for filing this type of claim form.

MICROFILMED

OCT 06 1992

_____ An adjudication claim cannot be filed when no water use or development has taken place. An application for permit is the form to file at the time you decide to begin development. Claims are required only on development and uses completed prior to the commencement of the adjudication, November 19, 1987. Enclosed is an application for permit form with instructions to be completed at the time development will begin.

_____ Item No. 16 - Signature -this claim form requires your signature be affixed and notarized by a notary public. Note, the notary public signs below the signature blocks listed in this item.

_____ Other: _____

Please complete the above item(s) on the enclosed claim form(s) and return the claim(s) to our office prior to the deadline date for filing adjudication claims in your county. If you are returning a claim form which was received in our office, with the fee, by the deadline for your county, then as long as the corrected claim and fee are returned within 30 days of the date of this letter, no late fee will be charged. If your deadline is upcoming, please try to return the corrected claim by that date. The deadline date for your county is 7-27-88.

Please feel free to contact this office if you have any questions concerning this letter.

Sincerely,


Jan Shurte

Water Rights Supervisor
Adjudication Section

JS:sl
Enclosures

MICROFILMED
OCT 06 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 8, 1988

Mr. and Mrs. J. D. Cocus
P. O. BOX 246
Pollock, ID 83547

Dear Mr. and Mrs. Cocus:

We are returning your Notice of Claim to a Water Right for license numbers 78-7055 and 78-7184, as well as your check #289 in the amount of \$76.00. We have identified a problem with both claims.

On the claim referencing license number 78-7055, you have listed domestic, with one house and one guest building. The definition for domestic use is for a single family household under one ownership. Domestic use does not apply to a dwelling which is rented or operated as an income producing unit. If your guest house is rented or operated as an income producing unit, you will need to fill out another long form, (enclosed) and submit a fee of \$54.00, (\$50.00 filing fee and \$4.00 for the .04 cfs claimed), for this claim. If you feel that your property does qualify for the domestic definition, please explain at Item #9.

On the claim referencing license number 78-7184, at item # 8 on the second page, you have omitted the consumptive use you are claiming. Please fill in this blank and return to us.

If you have any questions, or if we can be of any help, please do not hesitate to contact this office.

Yours Truly,

Donald V. Shaff
Adjudication Section Supervisor

DVS:db

MICROFILMED
OCT 06 1992

J. D. COCUS
MARY K. COCUS

SSN 232-34-1557

P. O. BOX 246

POLLOCK, ID 83547

304

92-155-12
1241-12

PAY TO THE
ORDER OF

Idaho Dept Water Resources \$ 25.00

Twenty-Five and 00/100

IB&T IDAHO BANK & TRUST CO.
P.O. BOX 32, RIGGINS, IDAHO 83549

Water Rights - Cabin

Mary K. Cocus

CT OF THE
FALLS

BER: 39576

RECEIVED
JUL 5 1988

JUL 7 1988

WATER RIGHT

Department of Water Resources
Western Regional Office

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes

Department of Water Resources

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Please type or print clearly

1. Name of Claimant (s) JACKIE D. AND/OR MARY K. COCUS Phone (208) 628-3359

Mailing Address Box 246 POLLOCK, ID. Zip 83547

2. Date of Priority (Only one (1) per claim) ~~1978~~ 1976

3. Source of water supply (a) SPRING
which is tributary to (b) _____

4. Location of point of diversion is: Township 22N Range 1E

Section 26, SW 1/4 of NW 1/4 of NW 1/4, Govt. Lot —, B.M.,

County of IDAHO

Additional points of diversion if any: NONE

5. 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. PVC PIPE to CABIN.

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

For DOMESTIC purposes from 1/1 to 12/31 amount .02 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .02 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) DOMESTIC for 1 HOUSEHOLD

MICROFILMED
OCT 06 1992

NE 1/4		SW 1/4		SE 1/4		NW 1/4		SW 1/4		SE 1/4		NW 1/4		SW 1/4		SE 1/4	
22N 1E 26				D													

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

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.
_____ or None (X)

14. Remarks: _____

15. Basis of Claim (check one): Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide DWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Jessie R. Coons Date 6-17-88
Mary K. Coons Date 6/17/88

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

of _____, that I have signed the foregoing

document in the space below as _____ Title _____ of _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 17th day of June 19 88

SEAL

Notary Public Vicky R. Lowe

Residing at Riggins, Idaho

My Commission Expires April 27, 1993

Last Name COONS Ident No. Copies White-State, Yellow-Claimant

MICROFILMED
OCT 16 1992