

RECEIVED a

AUG 30 2006

08/18/2006

DEPARTMENT
WATER RESC

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 22, 2006

Water right number: 79-4088

ADELINE COOPER

PO BOX 314

LUCILE ID 83542

Telephone Number: (208)628-3383

RUSSELL M COOPER

PO BOX 314

LUCILE ID 83542

Telephone Number: (208)628-3383

→ deceased

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 8/26/06 SIGNATURE: Adeline Cooper
Please print your name: Adeline Cooper

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

04/03/2006

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

RIGHT NUMBER: 79-4088

NAME AND ADDRESS: ADELINE COOPER
PO BOX 314
LUCILE ID 83542

RUSSELL M COOPER
PO BOX 314
LUCILE ID 83542

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.090 CFS

PRIORITY DATE: 02/15/1950

POINT OF DIVERSION:

T25N R01E S2 NWSW Lot 7 Within IDAHO County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

02/15 11/30

0.090 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T25N R01E S02 Lot 5 SWNW 0.70 T25N R01E S02 Lot 7 NWSW 2.30

3 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

79-4088

T25N R01E
Section(s) 2



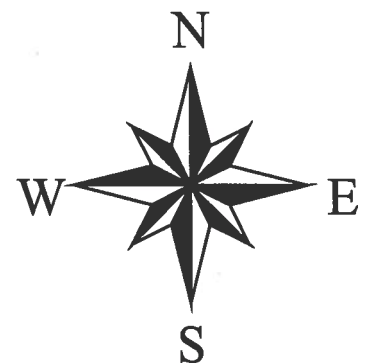
0.09 0 0.09 0.18 Miles



Place of Use



Point of Diversion



Layout prepared on April 3, 2006
By Greg Taylor
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: A79-04088
Date Received: 6/14/1988
Receipt No: C001371
Received By: DE JA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RUSSELL M. COOPER 208-628-3383
Address: P.O. BOX 314
LUCILE, ID 83542

Name: ADELINE COOPER
Address: P.O. BOX 314
LUCILE, ID 83542

2. Date of Priority: JAN 01, 1950

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	01E	2	SW	NW			IDAHO

5. Description of diverting works:
PUMP & SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/01	0.090		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
25N	01E	2				7	IRR	
			SW		NW	5	IRR	3.0
							Section Acres	3.0
							Total Acres	3.0

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: BENEFICIAL USE

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:

Ident. Number

Date Received

Receipt Number

39356

79-04088

6-14-88

C00 1371

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN 14 1988

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Russell M. and Adeline Cooper Phone (208) 628-3383Mailing Address Box 314 Lucille, Id Zip 835422. Date of Priority (Only one (1) per claim) JAN 1, 19503. Source of water supply (a) Salmon River
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 25N Range 1E Section 2,
SW NW CALLED CLAIMANT, SAID IT WAS PROBABLY TURNED AROUND
1/4 of AKO 1/4 of SW 1/4, Govt. Lot, Idaho B.M., County of Idaho 10/20/89 Rdk

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. 5 Hp pump from river tosprinkler system

MICROFILMED

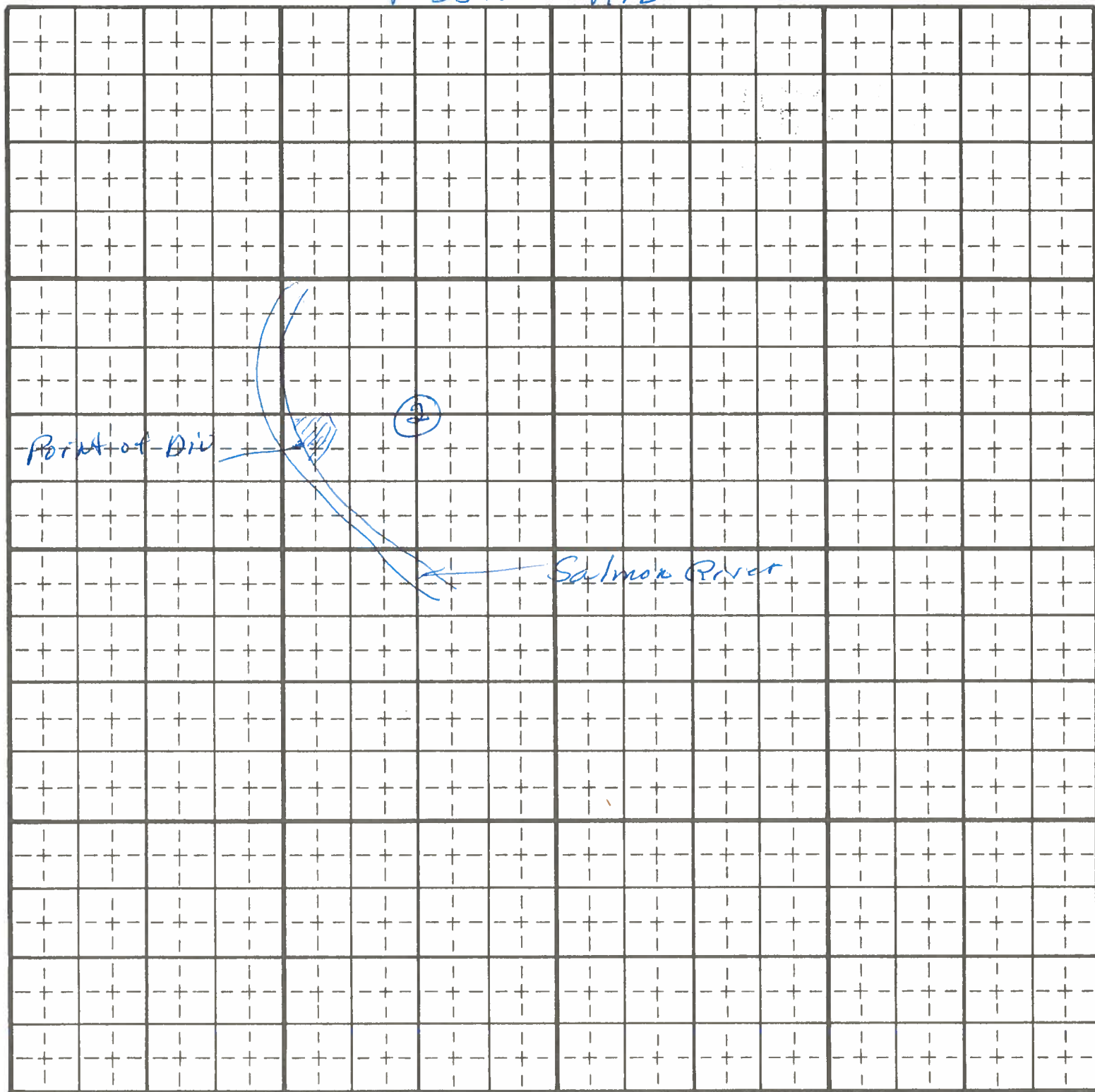
OCT 06 1992

Copies: White-State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T 25 N R 1 E



MICROFILMED

Last Name

Cooper

Ident No.

Copies: White State, Yellow Claimant
90-1-3-6-1892

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar 1 to Nov 1 amount 0.09 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.09 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 9 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
25N	1E	2				(Gov. Lots 5 and 7)													
									3 ←										3
									Rdh										

Total number of acres irrigated 3

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 ☒ 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 (☒)

14. Remarks:

Last Name Cooper Ident No. _____

MICROFILMED

Copies: White State Yellow-Claimant

OCT 06 1992

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 79-4688
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 _____
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) x Adeline Cooper Date 6-10-88
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
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 10 day of June 19 88

SEAL

Notary Public Dolma C. Bice

Residing at Peggy, Idaho

My Commission Expires 1-11-94

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Cooper Ident. Number _____

MICROFILMED
Copies: White State / Yellow Claimant

OCT 06 1992

9/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

COOPER

CLAIM IDENT. NO.

79-04089

DATE RECEIVED

6-14-88

CK #

C001371

AMOUNT \$

78.00

YES

NO

1. Is the name and address complete with zip code? ☒ YES ☐ NO
2. Is a priority date entered? ☒ YES ☐ NO
- Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. ☒ YES ☐ NO
3. (a) Is a source entered? ☐ YES ☐ NO
(b) Is a tributary to entered? (if required) ☐ YES ☒ N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO
5. Is there a description of the diverting works? ☒ YES ☐ NO
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO
Is the period of use included? ☒ YES ☐ NO
Is a quantity claimed for each use? ☒ YES ☐ NO
7. Is a total quantity claimed entered? ☒ YES ☐ NO
8. If required is a consumptive use entered? ☐ YES ☒ N/A
Is the consumptive use correct? ☐ YES ☒ N/A
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. See Adjudication Memo # 4. ☒ YES ☐ NO
10. Is (are) the place(s) of use entered? ☒ YES ☐ NO
11. Is (are) the county(ies) entered? ☒ YES ☐ NO
12. Is the ownership of p.u. checked? ☒ YES ☐ NO
13. Are other water rights listed or "none" checked? ☒ YES ☐ NO
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☒ N/A
15. Is the basis of the claim checked? ☐ YES ☐ NO
16. Is the claim signed by the claimant, and 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?) ☒ YES ☐ NO
- Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO
- Is the fee enclosed correct? ☒ YES ☐ NO
- If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ N/A
- Should this claim be receipted and data entered? ☒ YES ☐ NO

Claim checked by:

Rom H

Comments:

~~COOPER SHOWS NO DIFFERENCE IN WATER RIGHTS~~
~~COOPER HAS AN INTEREST IN THE CLAIM~~
EPCA
MICROFILMED

OCT 06 1992