

05/02/2007

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

RIGHT NUMBER: 3-10192

NAME AND ADDRESS: GEORGE E COLWELL
3990 HWY 52
PAYETTE ID 83661

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.050 CFS

PRIORITY DATE: 06/01/1954

POINT OF

DIVERSION: T09N R05W S32 NWSW Within PAYETTE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

03/01 11/15

0.050 CFS

PLACE OF USE: STOCKWATER in PAYETTE County

T09N R05W S29	SWNE	T09N R05W S29 Lot 2	SWNE
T09N R05W S29	SENE	T09N R05W S29	SENE
T09N R05W S29 Lot 3	SENE	T09N R05W S29	NESW
T09N R05W S29 Lot 3	NESW	T09N R05W S29 Lot 4	SESW
T09N R05W S29	NESE	T09N R05W S29 Lot 1	NESE
T09N R05W S29	NWSE	T09N R05W S29 Lot 2	NWSE
T09N R05W S29	SESE	T09N R05W S29	SESE
T09N R05W S29 Lot 1	SESE	T09N R05W S32	NWNE
T09N R05W S32	NENW	T09N R05W S32 Lot 3	NENW
T09N R05W S32	NWNW	T09N R05W S32	SWNW
T09N R05W S32 Lot 4	SWNW	T09N R05W S32	SENE
T09N R05W S32 Lot 4	SENE	T09N R05W S32	NESW
T09N R05W S32	NWSW	T09N R05W S32 Lot 5	NWSW

T09N, R05W S29 SWNE, SENE, SENE, NESW, NESE, NWSE, SESE; S32 NENW, NWNW, SWNW, SENW, & NWSW is unsurveyed, nonfederal land except where noted by GCDB lot number.

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

The following rights are also diverted through point of diversion described above: 3-4008A, & 3-4008B.



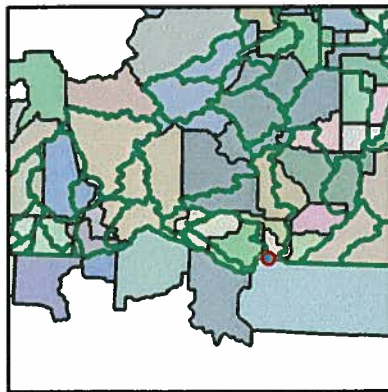
Idaho Department of Water Resources

SRBA Recommendation:

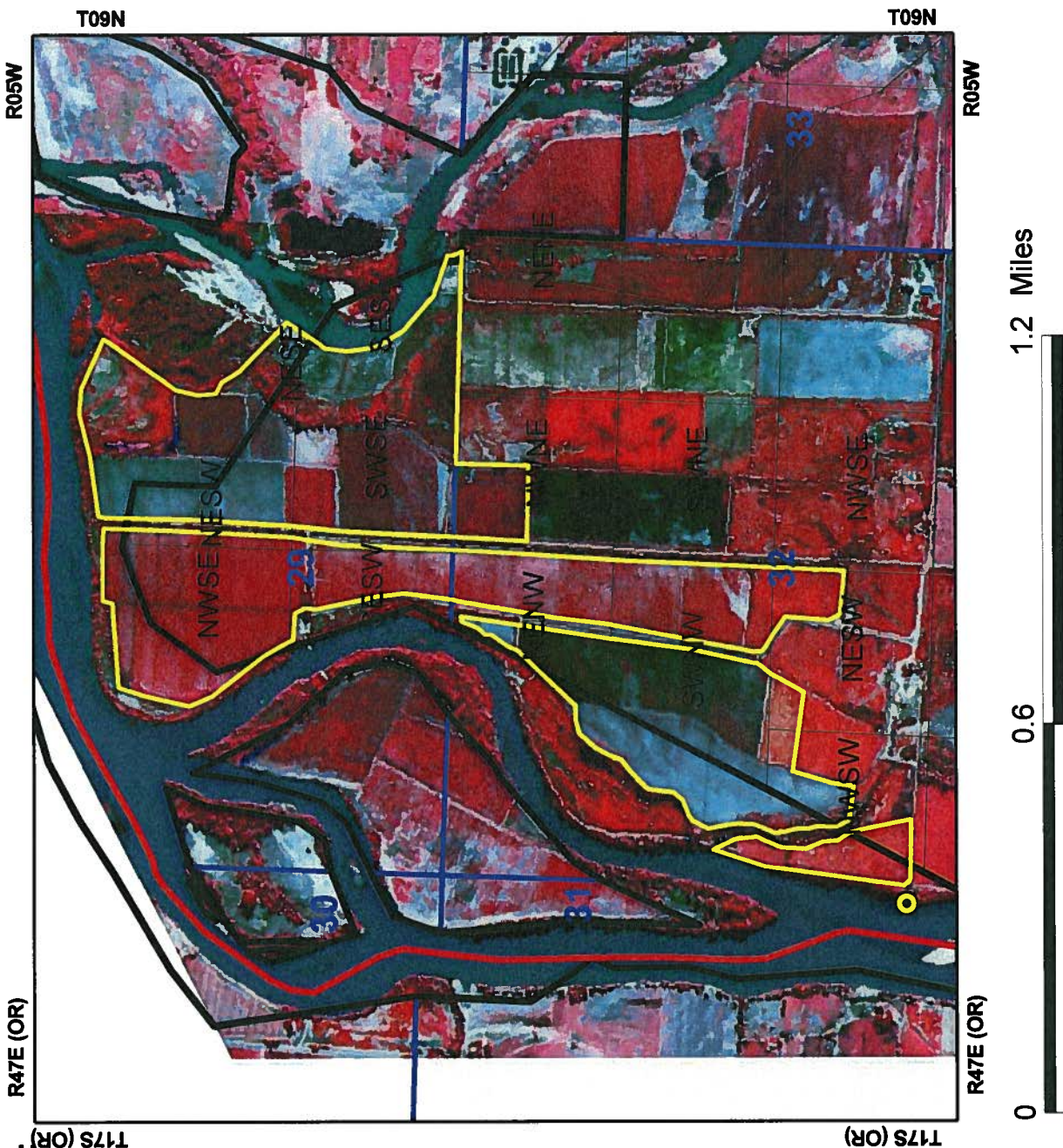
3-10192

Legend

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



Payette County
IDWR Basin 3



Prepared by J. Dean
On Wednesday, May 31, 2006
1987/88 Aerial Photography

05/31/2006

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

RIGHT NUMBER: 3-10192

NAME AND ADDRESS: GEORGE E COLWELL
3990 HWY 52
PAYETTE ID 83661

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.050 CFS

PRIORITY DATE: 06/01/1954

POINT OF DIVERSION:

T09N R05W S32 NWSW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	03/01 11/15	0.050 CFS

PLACE OF USE: STOCKWATER Within PAYETTE County

T09N R05W S29	SWNE	T09N R05W S29 Lot 2	SWNE
T09N R05W S29	SENE	T09N R05W S29	SENE
T09N R05W S29 Lot 3	SENE	T09N R05W S29	NESW
T09N R05W S29 Lot 3	NESW	T09N R05W S29 Lot 4	SESE
T09N R05W S29	NESE	T09N R05W S29 Lot 1	NESE
T09N R05W S29	NWSE	T09N R05W S29 Lot 2	NWSE
T09N R05W S29	SESE	T09N R05W S29	SESE
T09N R05W S29 Lot 1	SESE	T09N R05W S32	NWNE
T09N R05W S32	NENW	T09N R05W S32 Lot 3	NENW
T09N R05W S32	NWNW	T09N R05W S32	SWNW
T09N R05W S32 Lot 4	SWNW	T09N R05W S32	SENE
T09N R05W S32 Lot 4	SENE	T09N R05W S32	NESW
T09N R05W S32	NWSW	T09N R05W S32 Lot 5	NWSW

T09N, R05W S29 SWNE, SENE, SESE, NESW, NESE, NWSE, SESE; S32
NENW, NWNW, SWNW, SESE, & NWSW is unsurveyed, nonfederal land
except where noted by GCDB lot number.

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

The following rights are also diverted through point of diversion described
above: 3-4008A, & 3-4008B.

07/13/2006

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

RIGHT NUMBER: 3-10192

NAME AND ADDRESS: GEORGE E COLWELL
3990 HWY 52
PAYETTE ID 83661

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.050 CFS

PRIORITY DATE: 06/01/1954

POINT OF DIVERSION:

T09N R05W S32 NWSW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	03/01 11/15	0.050 CFS

PLACE OF USE: STOCKWATER Within PAYETTE County

T09N R05W S29	SWNE	T09N R05W S29 Lot 2	SWNE
T09N R05W S29	SENE	T09N R05W S29	SENE
T09N R05W S29 Lot 3	SENE	T09N R05W S29	NESW
T09N R05W S29 Lot 3	NESW	T09N R05W S29 Lot 4	SESE
T09N R05W S29	NESE	T09N R05W S29 Lot 1	NESE
T09N R05W S29	NWSE	T09N R05W S29 Lot 2	NWSE
T09N R05W S29	SWSE	T09N R05W S29	SESE
T09N R05W S29 Lot 1	SESE	T09N R05W S32	NWNE
T09N R05W S32	NENW	T09N R05W S32 Lot 3	NENW
T09N R05W S32	NWNW	T09N R05W S32	SNNW
T09N R05W S32 Lot 4	SNNW	T09N R05W S32	SENE
T09N R05W S32 Lot 4	SENE	T09N R05W S32	NESW
T09N R05W S32	NWSW	T09N R05W S32 Lot 5	NWSW

T09N, R05W S29 SWNE, SENE, SENW, NESW, NESE, NWSE, SESE; S32 NENW, NWNW, SNNW, SENW, & NWSW is unsurveyed, nonfederal land except where noted by GCDB lot number.

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

The following rights are also diverted through point of diversion described above: 3-4008A, & 3-4008B.

07/13/2006

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

RIGHT NUMBER: 3-4008A
NAME AND ADDRESS: C/C LLC
3990 HWY 52
PAYETTE ID 83661

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 5.500 CFS

PRIORITY DATE: 06/01/1954

POINT OF DIVERSION:

T09N R05W S32 NWSW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	5.500 CFS

PLACE OF USE: IRRIGATION Within PAYETTE County

T09N R05W S29	SWNE	11.00	T09N R05W S29 Lot 2	SWNE	0.50
T09N R05W S29	SENE	2.00	T09N R05W S29	SENW	4.00
T09N R05W S29 Lot 3	SENW	0.50	T09N R05W S29	NESW	9.50
T09N R05W S29 Lot 3	NESW	24.50	T09N R05W S29 Lot 4	SESW	13.00
T09N R05W S29	NESE	4.00	T09N R05W S29 Lot 1	NESE	0.50
T09N R05W S29	NWSE	15.00	T09N R05W S29 Lot 2	NWSE	22.50
T09N R05W S29	SWSE	36.00	T09N R05W S29	SESE	0.50
T09N R05W S29 Lot 1	SESE	15.50	T09N R05W S32	NWNE	9.00
T09N R05W S32	NENW	2.00	T09N R05W S32 Lot 3	NENW	22.00
T09N R05W S32	NWNW	1.00	T09N R05W S32	SWNW	14.50
T09N R05W S32 Lot 4	SWNW	5.50	T09N R05W S32	SENW	0.50
T09N R05W S32 Lot 4	SENW	36.50	T09N R05W S32	NESW	8.00
T09N R05W S32	NWSW	9.00	T09N R05W S32 Lot 5	NWSW	8.00

275 ACRES TOTAL

Place of use is within the area served by Washoe Irrigation & Water Power Company.

T09N, R05W S29 SWNE, SENE, SENW, NESW, NESE, NWSE, SESE; S32 NENW, NWNW, SWNW, SENW, & NWSW is unsurveyed, nonfederal land except where noted by GCDB lot number.

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

This right is a split from former right 3-4008.

Total diversion = $5.5 + .48 + .05 = 6.03 \text{ cfs}$
original stat claim = 6.44 cfs
diversion capacity = 6.68 cfs

okay

The following rights are also diverted through point of diversion described above: 3-4008B, & 3-10192.

07/13/2006

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

RIGHT NUMBER: 3-4008B

NAME AND ADDRESS: ROBERT L STEWART
6960 EAGLE CREEK CT
RENO NV 89509

MARJORIE V STEWART
6960 EAGLE CREEK CT
RENO NV 89509

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.480 CFS

PRIORITY DATE: 06/01/1954

POINT OF DIVERSION:

T09N R05W S32 SWNWSW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.480 CFS

PLACE OF USE: IRRIGATION Within PAYETTE County

T09N R05W S32	NESW	18.00	T09N R05W S32 Lot 5 NWSW	6.00
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24 ACRES TOTAL

Place of use is within the area served by Washoe Irrigation & Water Power Company.

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

The following rights are also diverted through point of diversion described above: 3-4008A, 3-10192.

This right is a split from former right 3-4008.

05/02/2007

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

RIGHT NUMBER: 3-10192

NAME AND ADDRESS: ~~GEORGE E COLWELL~~
3990 HWY 52
PAYETTE ID 83661

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.050 CFS

PRIORITY DATE: 06/01/1954

POINT OF DIVERSION:

T09N R05W S32 NWSW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	03/01 11/15	0.050 CFS

PLACE OF USE: STOCKWATER in PAYETTE County

T09N R05W S29	SWNE	T09N R05W S29 Lot 2	SWNE
T09N R05W S29	SENE	T09N R05W S29	SENE
T09N R05W S29 Lot 3	SENE	T09N R05W S29	NESW
T09N R05W S29 Lot 3	NESW	T09N R05W S29 Lot 4	SESE
T09N R05W S29	NESE	T09N R05W S29 Lot 1	NESE
T09N R05W S29	NWSE	T09N R05W S29 Lot 2	NWSE
T09N R05W S29	SWSE	T09N R05W S29	SESE
T09N R05W S29 Lot 1	SESE	T09N R05W S32	NWNE
T09N R05W S32	NENW	T09N R05W S32 Lot 3	NENW
T09N R05W S32	NWNW	T09N R05W S32	SWNW
T09N R05W S32 Lot 4	SWNW	T09N R05W S32	SENE
T09N R05W S32 Lot 4	SENE	T09N R05W S32	NESW
T09N R05W S32	NWSW	T09N R05W S32 Lot 5	NWSW

T09N, R05W S29 SWNE, SENE, SENE, NESW, NESE, NWSE, SESE; S32 NENW, NWNW, SWNW, SENE, & NWSW is unsurveyed, nonfederal land except where noted by GCDB lot number.

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

The following rights are also diverted through point of diversion described above: 3-4008A, & 3-4008B.



Idaho Department of Water Resources

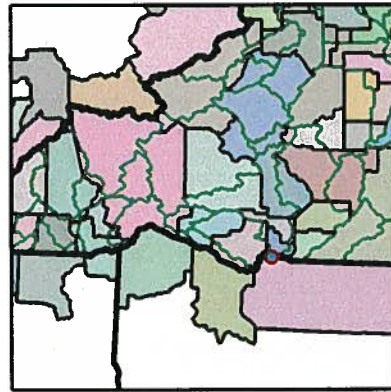
SRBA Recommendation:

3-10192

(Stockwater)

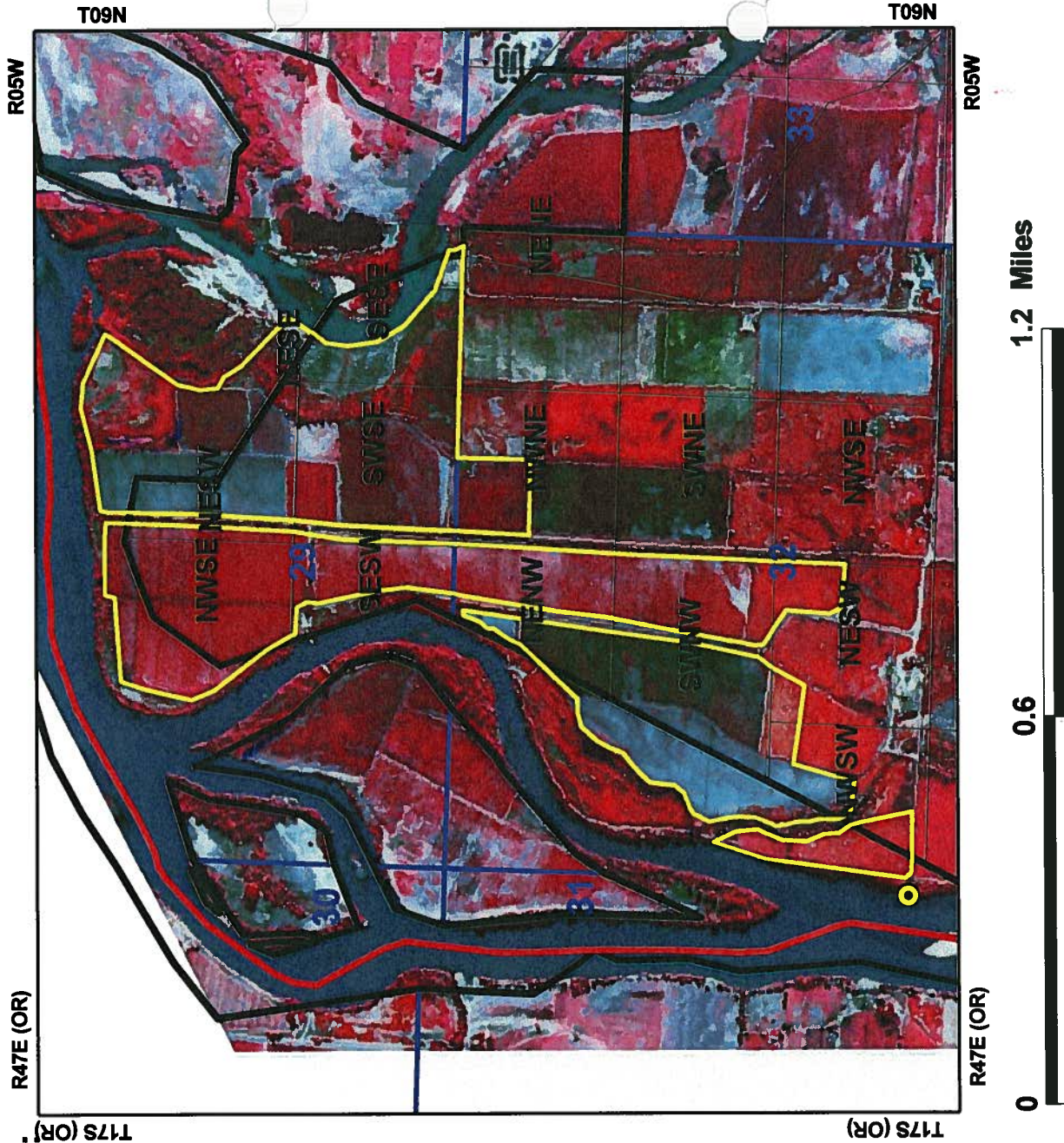
Legend

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



Payette County
IDWR Basin 3

Prepared by J. Dean
On Wednesday, May 2, 2007
1987/88 Aerial Photography



06/16/2006

**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: 7/21/06

Water right number: 3-10192

GEORGE COLWELL
3990 HIGHWAY 52
PAYETTE ID 83661
Telephone Number: (208)278-3448

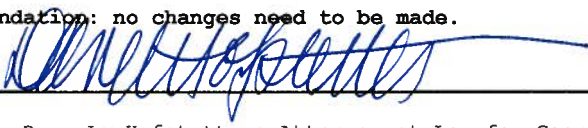
1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): QUANTITY, PERIOD OF USE

2. Describe the changes you wish to make in the proposed recommendation: THE QUANTITY SHOULD BE INCREASED TO THE AMOUNT CLAIMED AND YEAR ROUND STOCKWATER SHOULD BE DESIGNATED.

3. Give a brief explanation as to why you disagree with these portions: THE QUANTITY PROPOSED FOR RECOMMENDATION IS INADEQUATE AND THE STOCK USE THESE DITCHES YEAR ROUND.

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

DATE: 7/21/2006

SIGNATURE: 

Please print your name: Dana L. Hofstetter, Attorney at Law for George Colwell

IDWR Regional Office, 322 E. Front St.,
P.O. Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

||| 2 5 2006



3-10192



Prepared by J. Dean

On Wednesday, May 31, 2006

1987/88 Aerial Photography

Idaho Dept. of Water Resources
322 E. Front St. Boise, ID
May 31, 2006

To: 3-4008A Claim File
From: Jennifer Dean
Subject: Unsurveyed Lands

At various places along the Snake River (and other rivers) the most recent federal land survey (as represented by the BLM's Geographic Coordinate Database, GCDB) stops at river meander lines. Since the time of the survey, the river has changed course in several places, which created land that is not represented in the survey data. This land is known as omitted lands.

This recommendation for this claim consists of 275 acres. Of those acres, 73 are on omitted lands. In order to create a meaningful description of the place of use, I copied $\frac{1}{4}$ $\frac{1}{4}$ section lines and overlaid them on the omitted lands, carefully lining them up with the existing GCDB $\frac{1}{4}$ $\frac{1}{4}$ section lines. In so doing, there were a couple of the theoretical $\frac{1}{4}$ $\frac{1}{4}$ section lines that were divided by existing lots as well as existing lots that were divided by the theoretical $\frac{1}{4}$ $\frac{1}{4}$ section lines. In these instances I used ArcView to calculate the acres for the smallest division.

For example, I recommended 22.5 acres in T09N, R05W, S29 **NWSE** Lot 2. I also recommended an additional 0.5 acres in T09N, R05W, S29 **SWNE** Lot 2. Additionally, there were 15 acres recommended as unsurveyed land in T09N, R05W, S29 **NWSE**. Dividing the acres in the recommendation in this way allows both the acres for each lot and the acres for each theoretical $\frac{1}{4}$ $\frac{1}{4}$ to be calculated by simple addition. According to the example, there are a total of 23 acres in T09N, R05W, S29 **Lot 2**. There are also a total of 37.5 acres in T09N, R05W, S29 **NWSE**. This method also keeps the government lot as part of the recommendation, which provides a more accurate legal description.

Claim Number: 3-4008



**Legal: T09N, R05W, S29 & 32
1987 NAAP Photo**

3-04008A

Township	Range	Section	QQ	Lot	GIS Acres	Rec Acres	Lot Sum	Claim
09N	05W	29	NESE	1	0.4	0.5	20.5	19
09N	05W	29	NESE		4	4		
09N	05W	29	SESE	1	15.3	15.5		
09N	05W	29	SESE		0.3	0.5		
09N	05W	29	SENE	3	0.2	0.5	38.5	38
09N	05W	29	SENE		3.9	4		
09N	05W	29	NESW	3	24.5	24.5		
09N	05W	29	NESW		9.4	9.5		
09N	05W	29	SWNE	2	0.4	0.5	51	53
09N	05W	29	SWNE		10.8	11		
09N	05W	29	SENE		2.1	2		
09N	05W	29	NWSE	2	22.5	22.5		
09N	05W	29	NWSE		16.6	15		
09N	05W	29	SESW	4	13	13	13	11
09N	05W	29	SWSE		36	36	36	32
09N	05W	32	NENW	3	21.8	22	25	29
09N	05W	32	NENW		1.8	2		
09N	05W	32	NWNW		0.9	1		
09N	05W	32	SWNW	4	5.4	5.5	57	64
09N	05W	32	SWNW		14.4	14.5		
09N	05W	32	SENE	4	36.5	36.5		
09N	05W	32	SENE		0.6	0.5		
09N	05W	32	NWSW	5	8.2	8	17	27
09N	05W	32	NWSW		9.1	9		
09N	05W	32	NWNE		9	9	9	10
09N	05W	32	NESW		7.9	8	8	15
					275	275	275	298

Contacts Data Entry Form**Claim Number: 3-10192**

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	GEORGE E COLWELL	3990 HWY 52	PAYETTE	ID	83661	(208)-278-344 8
Attorney	HOFSTETTER LAW OFFICE LLC	C/O DANA L HOFSTETTER 608 W FRANKLIN ST	BOISE	ID	83702	(208)424-7800

Date of Field Exam: March 22, 2006 Time: 9:00 AMAccompanied By: George Colwell Phone Number: 208-278-3448 home
208-642-7617 cellRelationship to Claimant: self

Directions to Property (if different from above) and/or update owner information:

see 3-4008 A

_____Reviewer: JLDDate: 3/22/06

Priority Date Data Entry Form

Claim Number 3-10192

Claimed Priority Date: 6/1/1954

Claimed Basis: Beneficial Use

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date ____

Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Affidavit of Paul Mendiola 5/8/06

Reviewer: JLD

Date: 3/22/06

Point of Diversion and Source Data Entry Form

Claim Number 3-10192

Claimed Point of Diversion and Source

T09N R05W S32 NWSW Lot 5 Within PAYETTE County Source: SNAKE RIVER COLUMBIA RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Snake River

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? 3-4008A, 3-4008B

Document how the POD and Source were verified:

see 3-4008A

2 15-hp pumps 10ft lift Tag # A0017604

Reviewer: JLDDate: 3/22/06

Purpose of Use Data Entry Form

Claim Number 3-10192

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
STOCKWATER			

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
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Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
		150		

Document how the Purpose of Use was verified:

StockwaterReviewer: JLDDate: 3/22/06

Period of Use and Quantity Data Entry Form

Claim Number 3-10192

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
STOCKWATER	01/01	12/31	0.23	
Overall Diversion Rate	0.23	Overall Diversion Volume		

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Overall Diversion Rate		Overall Diversion Volume		

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

No evidence of diversion outside irrigation season -
recommend standard season.
Quantity - for 150 head cattle 0.05 cfs

Reviewer: JLDDate: 3/22/06

Basin 03 Field Exam Maps

Claim Number:

Colwell Cluster

 **Section Lines**

 **03_4009_pou**

 **03_4009_pod**

 **03_4008b_pou**

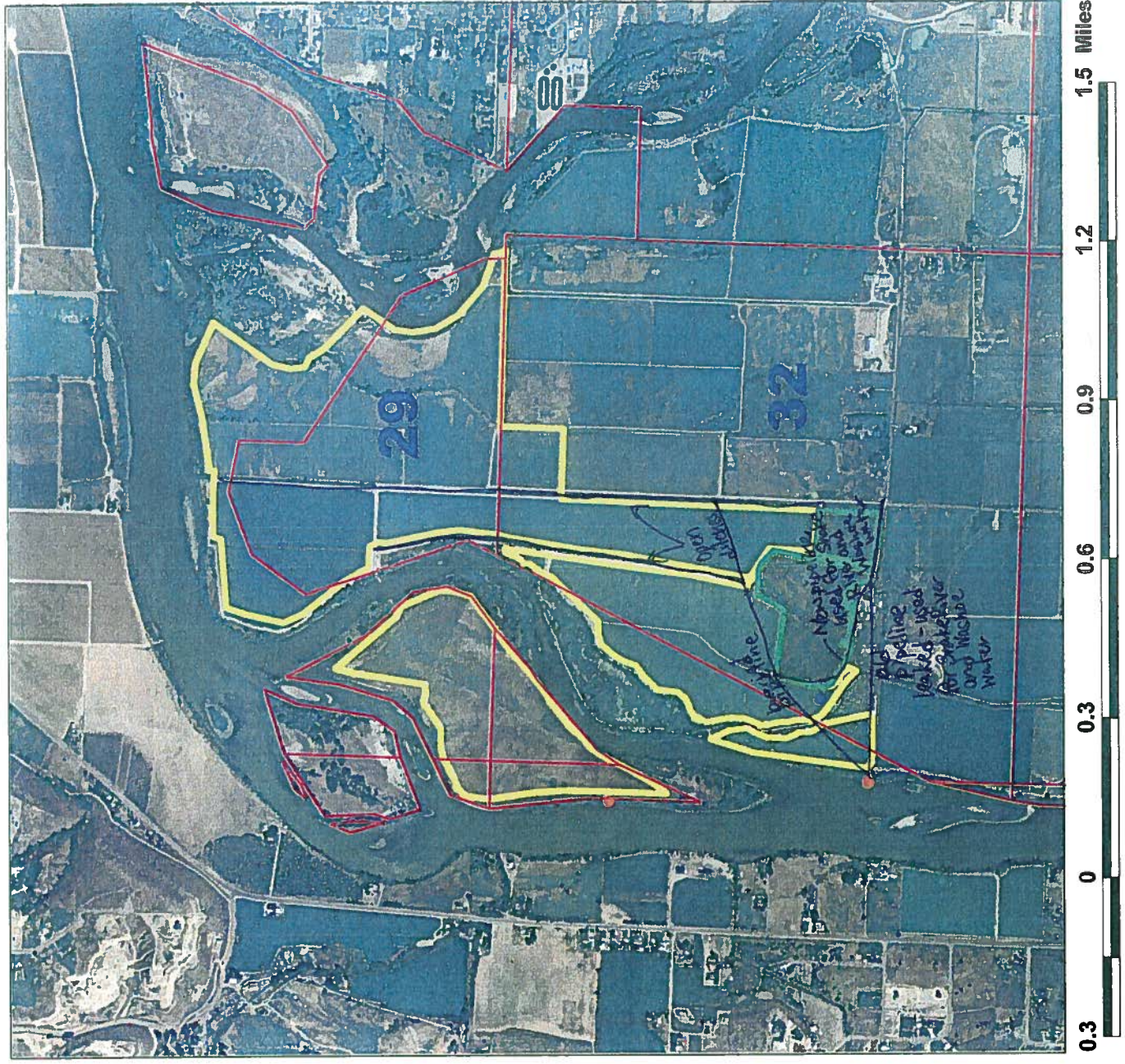
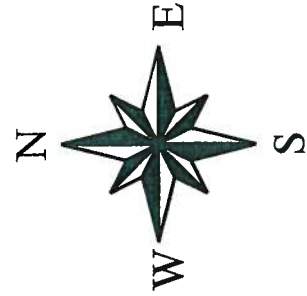
 **03_4008b_pod**

 **03_4008a_pou**

 **03_4008a_pod.**

 **03_10192_pod**

Legal: T09N, R05W, S29 & S32



2004 NAIP Photo

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 3-10192
Date Received: 9/11/2003
Receipt No: W030918
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GEORGE E COLWELL Phone: (208)278-3448
3990 HWY 52
PAYETTE ID USA 83661

2. Date of Priority: 06/01/1954

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
09N	05W	32	NW	SW	5	PAYETTE	

5. Description of diverting works:

Two pumps on river to gravity flow ditch system.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.23	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
09N	05W	29	NE	SW	3	STOCKWATER	
			SE	SW	4	STOCKWATER	
			NW	SE	2	STOCKWATER	
			SW	SE		STOCKWATER	
			SE	SE	1	STOCKWATER	
09N	05W	32	NW	NE		STOCKWATER	
			NE	NW	3	STOCKWATER	
			SW	NW	4	STOCKWATER	
			NW	SW	5	STOCKWATER	
			SE	NW	4	STOCKWATER	
			NE	SW		STOCKWATER	

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used: Washoe Ditch Stockwater 65-19594, 3-10015

14. Remarks:

Incidental stockwater use associated with water right 3-4008A.

15. Basis of Claim: Beneficial Use

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RECEIVED

SEP 11 2003

WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) George Colwell Phone (208) 278-3448Mailing Address 3900 Highway 52 Payette, ID Zip 836612. Date of Priority (Only one (1) per claim) June 1, 19543. Source of water supply (a) Snake River
which is tributary to (b) Columbia River4. a. Location of existing point of diversion is: Township 9N Range 5W Section 32,
1/4 of NW 1/4 of SW 1/4; Govt. Lot, 5 B.M., County of Payette

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. Two pumps on river to gravity
flow ditch system.

Scale: 2 inches equals 1 mile

[illegible]

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from 1/1 Dec to 12/31/14 amount 0.23 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.23 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ 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:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
9N	5W	29									S			S		S	S	S	
										(lot3)			(lot4)		(lot2)		(lot1)		
		32		S			S		S	S	S	S							
						(lot3)		(lot4)	(lot4)	(lot5)									

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes XX 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.
Washoe Ditch Stockwater, 65-19594, 03-10015 or None ()

14. Remarks:
Incidental stockwater use associated with water right
number 03-4008A.

Last Name Colwell Ident No. _____

Copies: White -State, Yellow-Claimant

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

If applicable provide IDWR 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 1

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

Signature of Claimant (s) Charles E. Colwell

Date 9/5/03

Charles F. Colwell

Date 9/5/03

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.

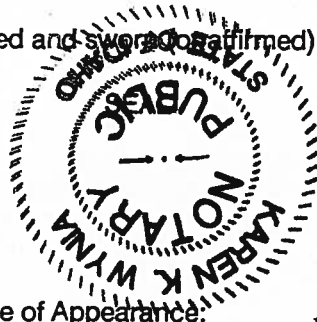
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Ada) SS. :

Subscribed and sworn to (or affirmed) before me this 5th day of September 2003



Notary Public Karen K. Wynn

Residing at Boise, Id.

My Commission Expires 10-24-04

Please Print Name

17. Notice of Appearance.

Notice is hereby given that I, Dana Hofstetter 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.

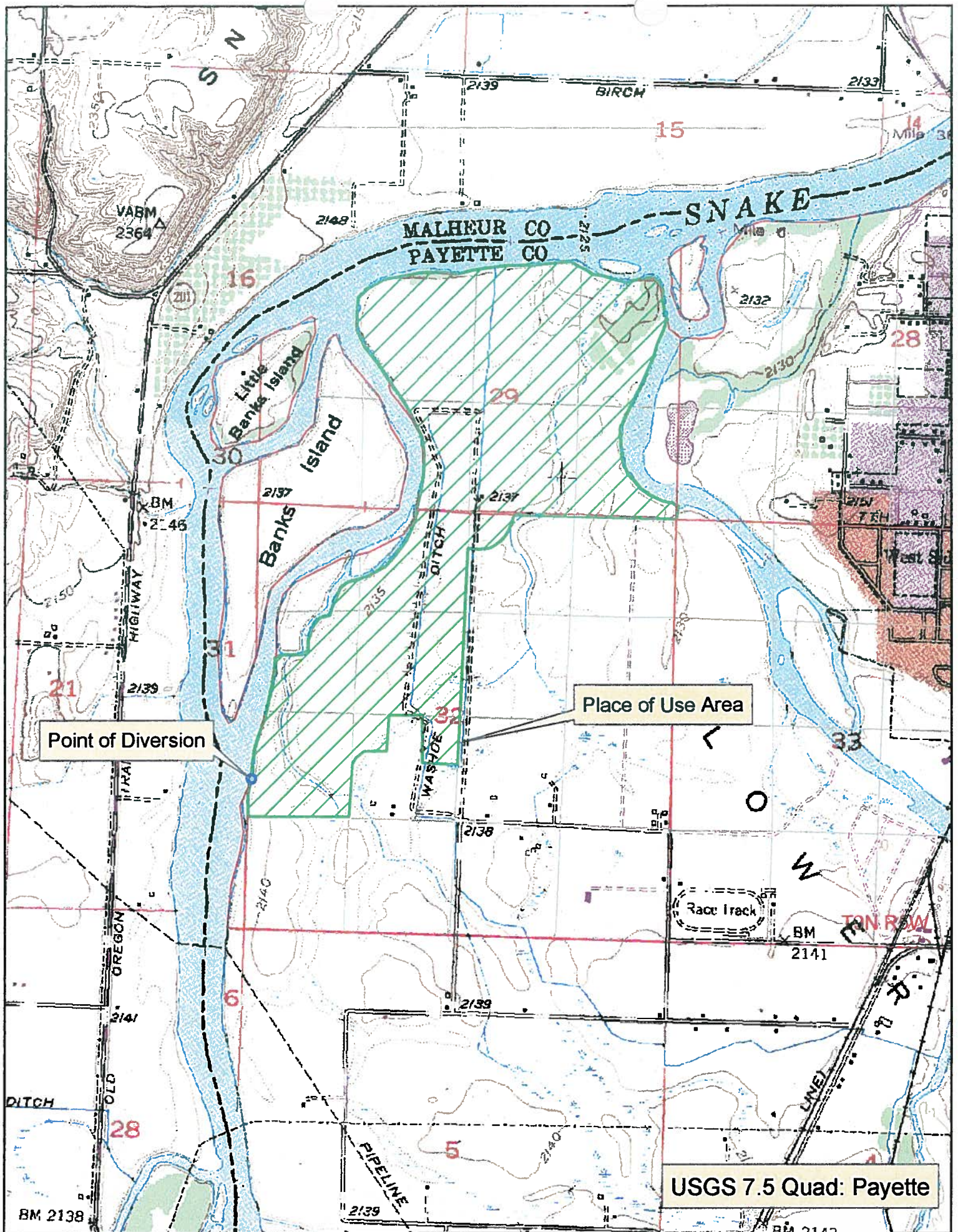
Signature Dana Hofstetter

Address Hofstetter Law Office, 608 West Franklin Street, Boise, ID 83702

Date September 11, 2003

Last Name Colwell Ident. Number _____

Copies White-State, Yellow-Claimant



Point of Diversion

Place of Use Area

USGS 7.5 Quad: Payette

COMPILED FROM THE OFFICIAL RECORDS OF

