

02/12/2001

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

T NUMBER: 43-10501

AND ADDRESS: ALBERT JAY COTTLE  
JULENE COTTLE  
HC 61 BOX 1232  
MALTA, ID 83342

SOURCE UNNAMED STREAM TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 02/15/1962

|                     |               |        |                          |                      |
|---------------------|---------------|--------|--------------------------|----------------------|
| POINT OF DIVERSION: | T14S R26E S16 | NENENE | End of Stream Flow       | Within CASSIA County |
|                     | T14S R26E S16 | SWSWNE | Beginning of Stream Flow | Within CASSIA County |

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 1-01 12-31           | 0.02 CFS        |

PLACE OF USE:

|                                        |      |               |      |
|----------------------------------------|------|---------------|------|
| <u>STOCKWATER Within CASSIA County</u> |      |               |      |
| T14S R26E S16                          | NENE | T14S R26E S16 | SWNE |
| T14S R26E S16                          | SENE |               |      |

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO  
CODE.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RP14S26E160000

*Stock water, 50 range cows & calves*

Water Right Number - R43-10501

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - - - - First Name - - - +

+ - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*

COTTLE

JULENE

1 - HC 61 BOX 1232

2 -

3 -

State- ID Zip- 83342

COTTLE

ALBERT JAY

City- MALTA

Phone - 208-645-2567

1 - HC 61 BOX 1232

2 -

3 -

State- ID Zip- 83342

+ - - Priority Date - - +

02/15/1962

+ - - Region - - - +

17 SOUTHERN

+ - - Stage - - - +

J - BENEFICIAL USE

+ - - Status - - - +

+ - - Source - - - - - +

SPRING

+ - - - - Tributary - - - - - +

SINKS

+ - - - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot Rflg County

14S 26E 16 NW SE SW (31) CASSIA

+ - - Description

Period From Period To

Water Use

Diversion Rate

Diversion Volume

04 - STOCKWATER

01/01 12/31

0.020

+ - Total Div. Rate - +

+ - Total Div. Volume - +

0.020

+ - Total Consumptive Use - +

0.0

+ - KW Usage - +

| Twn | Rng | Sec | Tract | Lot | Place of Use |             | County      |
|-----|-----|-----|-------|-----|--------------|-------------|-------------|
|     |     |     |       |     | Acres        | Description |             |
| 14S | 26E | 16  | NE NE |     | 04           | STOCKWATER  | (31) CASSIA |
| 14S | 26E | 16  | NW NE |     | 04           | STOCKWATER  | (31) CASSIA |
| 14S | 26E | 16  | SW NE |     | 04           | STOCKWATER  | (31) CASSIA |
| 14S | 26E | 16  | SE NE |     | 04           | STOCKWATER  | (31) CASSIA |
| 14S | 26E | 16  | NE NW |     | 04           | STOCKWATER  | (31) CASSIA |
| 14S | 26E | 16  | NW NW |     | 04           | STOCKWATER  | (31) CASSIA |
| 14S | 26E | 16  | SW NW |     | 04           | STOCKWATER  | (31) CASSIA |
| 14S | 26E | 16  | SE NW |     | 04           | STOCKWATER  | (31) CASSIA |

Total Acres:

+ - - Diversion Means - INSTREAM USE FOR STOCKWATERING PURPOSES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIMS PROOF READING REPORT  
(REGIONAL)

AJ0743NP  
(OD-124)

**Prefix Translation: RESEARCH**

Water right number - R43-10501

.....

EXP      PARCEL NO. RP14S26E160000  
STOCKWATER, 50 RANGE COWS & CALVES

|             | No Old Water Right Numbers Found | Old Water Right Numbers |   |
|-------------|----------------------------------|-------------------------|---|
| + . . . . . | - - - - -                        | - - - - -               | + |

## No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - +  
No Conditions of Approval found.

No Conditions of Approval found.

|                            |         |                            |         |                   |
|----------------------------|---------|----------------------------|---------|-------------------|
| + - - - - Decree Plaintiff | - - - + | + - - - - Decree Defendant | - - - + | + - Decree Date - |
|                            |         |                            |         | 00/00/0000        |

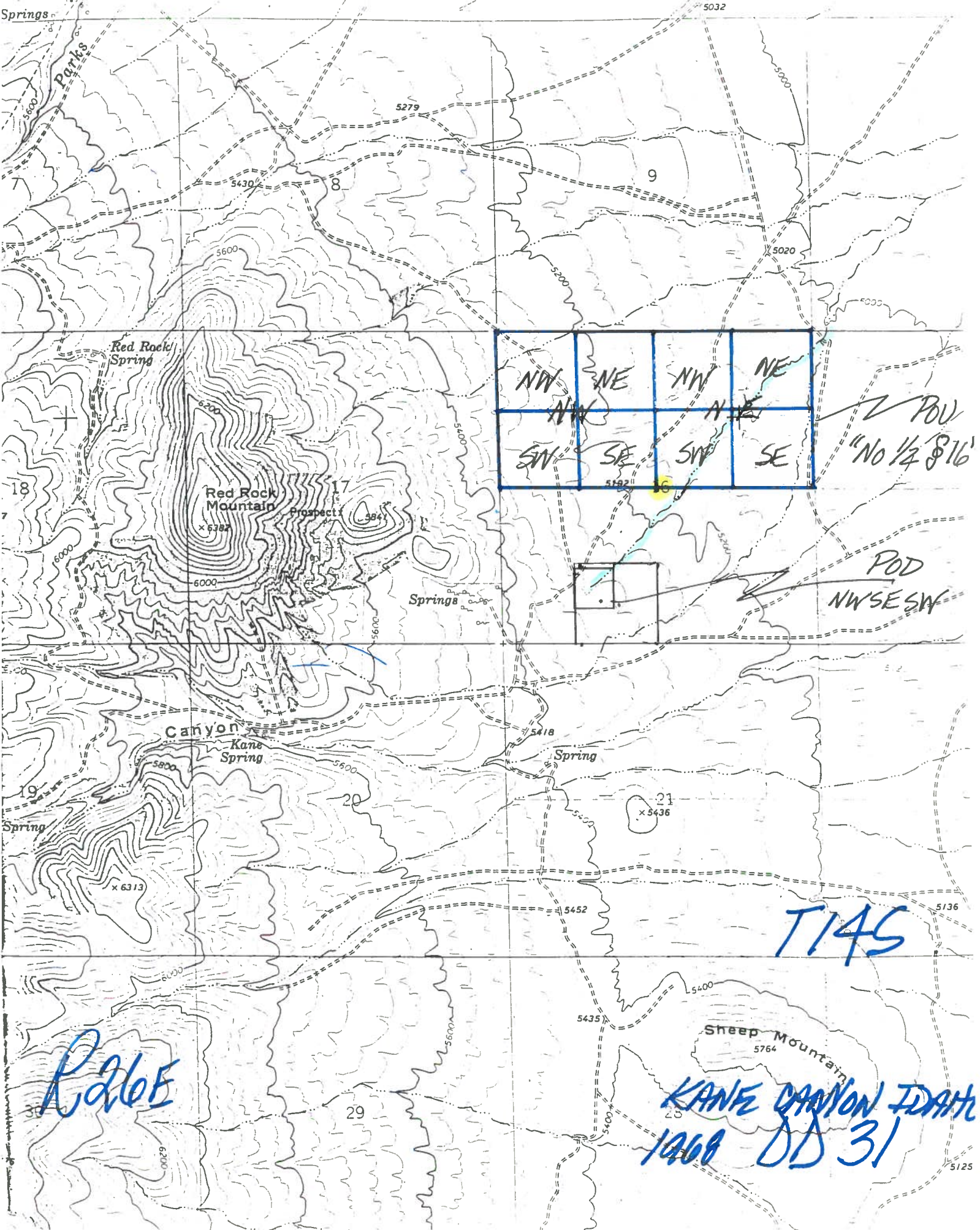
+ + + + + - Comments- - - - -  
+ + + + + No Comments Found

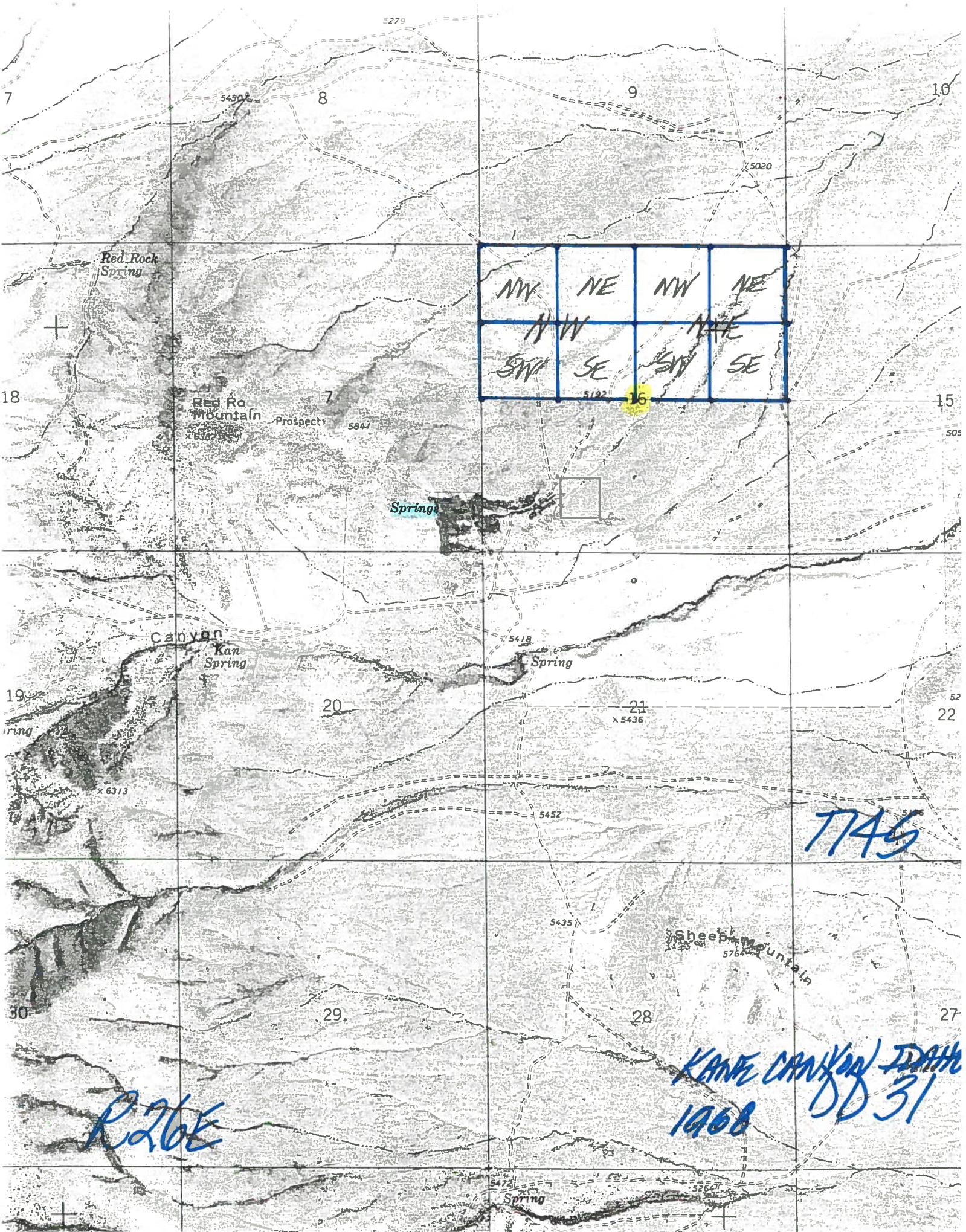
No Comments Found

+ - - Audit Fields - - + 00/00/00

## Adjudication Rights Dates and Flags Area

|                      |              |                       |              |                         |     |
|----------------------|--------------|-----------------------|--------------|-------------------------|-----|
| Court Report Filing  | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number       | -   |
| 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  | - 06/15/1989 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P |
|                      |              | Receipt Number        | - S008249    | Water District          | -   |
|                      |              | POU Ownership Flag    | - Y          | Federal/State Indicator | - S |
|                      |              | Name Connector        | - AND/OR     | Presumption Flag        | -   |
|                      |              |                       |              | Notice of Error Flag    | -   |





|    |    |    |    |
|----|----|----|----|
| NW | NE | NW | NE |
| NW | NE | NW | NE |
| SW | SE | SW | SE |

R26E

T14S

KANE CANYON IDAHO  
1968 DD 31

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: A43-10501  
Date Received: 6/15/1989  
Receipt No: S008249  
Received By: Ad

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: ALBERT JAY COTTLE 208-645-2567  
Address: HC 61 BOX 1232  
MALTA, ID 83342

AND/OR  
Name: JULENE COTTLE 208-645-2567  
Address: HC 61 BOX 1232  
MALTA, ID 83342

2. Date of Priority: FEB 15, 1962

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 14S      | 26E   | 16      | NW     | SE     | SW     |     | CASSIA |

5. Description of diverting works:  
INSTREAM USE FOR STOCKWATERING PURPOSES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.020  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
S/ 50 RANGE COWS WITH CALVES.

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|-----|----|-----|-----|-------|-------|
| 14S      | 26E   | 16      | NE  |    | NE  |     | STOCK |       |
|          |       |         | NW  |    | NE  |     | STOCK |       |
|          |       |         | SW  |    | NE  |     | STOCK |       |
|          |       |         | SE  |    | NE  |     | STOCK |       |
|          |       |         | NE  |    | NW  |     | STOCK |       |
|          |       |         | NW  |    | NW  |     | STOCK |       |
|          |       |         | SW  |    | NW  |     | STOCK |       |
|          |       |         | SE  |    | NW  |     | STOCK |       |

11. Place of use in counties: CASSIA

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

CIVIL CASE NUMBER: 39576

Identification No. A43-10501

Date Received \_\_\_\_\_

Receipt Number 5008249 ADRECEIVED NOTICE OF CLAIM  
TO A  
WATER RIGHT

JUN 09 1983

Department of Water Resources  
Southern Region OfficeACQUIRED UNDER STATE LAW  
For Domestic and/or Stockwater Purposes  
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Albert Jay and/or Julene Cottle Phone (208) 645-2567Mailing Address HC 61 Box 1232 Malta, Idaho Zip 833422. Date of Priority (Only one per claim) February 15, 1962 Month/Day/Year3. Source of water supply (Check one) ( ) Groundwater or Other (x) (a) unnamed springwhich is tributary to (b) sinks, except in flood years when it reaches the Raft River. Name or kind of source4. Location of point of diversion is: Township 14S Range 26ESection 16, NW 1/4 of SE 1/4 of SW 1/4, Govt. Lot \_\_\_\_\_, BM.County of Cassia

Additional points of diversion if any: \_\_\_\_\_

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. \_\_\_\_\_

Instream use for stockwatering purposes.

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

For Stockwatering purposes from Jan 1 to Dec 31 amount 0.02 (cfs)

(Both dates are inclusive)

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_

7. Total quantity claimed 0.02 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Stockwatering of 50 cows with calves.

MICROFILMED

MAR 5 1983

10. Place of use is: Township: 14S Range R26E

Section 16, N1/2 ~~XXXX~~ 1/4, Govt. Lot \_\_\_\_\_, B.M.,

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

Additional places of use, if any \_\_\_\_\_

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

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.  
none

14. Remarks: \_\_\_\_\_

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff vs Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do \_\_\_\_\_ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments \_\_\_\_\_

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

Signature of Claimant (s)

Albert J. Cottle

Date

8 June 89

Julene Cottle

Date

8 June 1989

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 \_\_\_\_\_ Date \_\_\_\_\_

Title and Organization \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this 8 day of June 19 89

SEAL

Notary Public

Boyd Booth

Residing at

Malta Idaho

My Commission Expires

10-15-91 MICROFILMED

Last Name Cottle Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant MAR 05 1989



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

July 17. 1989

Albert Jay Cottle  
HC 61 Box 1232  
Malta, Id 83342

Re: A43-10508  
A43-02046A  
A43-04191  
A43-02271  
A43-00088  
A43-04192  
A43-04193  
A43-10102  
A43-00412  
A43-10501

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

Judy Givens  
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 05 1993



WATER RIGHT NUMBER - A43-10501

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - REMARKS - - - - - NO REMARKS FOUND.

+ - - - - - OLD WATER RIGHT NUMBERS - - - - - NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - - NO CONDITIONS OF APPROVAL FOUND.

+ - - - - - DECREE PLAINTIFF - - - + - - - - DECREE DEFENDANT - - - +  
00/00/0000

+ - - - - - AUDIT FIELDS - 06/15/89 MERRITT

+ - - - - - COMMENTS - - - - - NO COMMENTS FOUND

+ - - - - - 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   | - 06/15/1989 | LAST AMENDED DATE     | - 00/00/0000 | TEMPORARY RIGHT         | - P     |
| PROOF DUE DATE        | - 00/00/0000 | PROOF MADE DATE       | - 00/00/0000 | WATER DISTRICT          | -       |
| LICENSED DATE         | - 00/00/0000 | RECEIPT NUMBER        | - S008249    | FEDERAL/STATE INDICATOR | - S     |
| CLAIMS TAPE ERROR FLG | -            | POU OWNERSHIP FLAG    | - Y          | PRESUMPTION FLAG        | -       |
| FEE EXEMPT FLAG       | -            | NAME CONNECTOR        | - AND/OR     |                         |         |

Rp 14s 26E 160000

PROOF  
AUG 11 1991

DATA ENTRY

ENTERED 4-21-92 DWS

CHECKED 6/16/92 AS

Verified By  
Topo Map/Ortho-PQ  
ASCS Map  
Watermaster Records  
NAPP Photos  
Field Exam  
Other (See Remarks)  
County Records  
Witness Statement  
Project Records  
IDWR Records

VERIFIED  
OCT 17 1991

CERTIFIED  
OCT 29 1991  
WATER EXAMINER