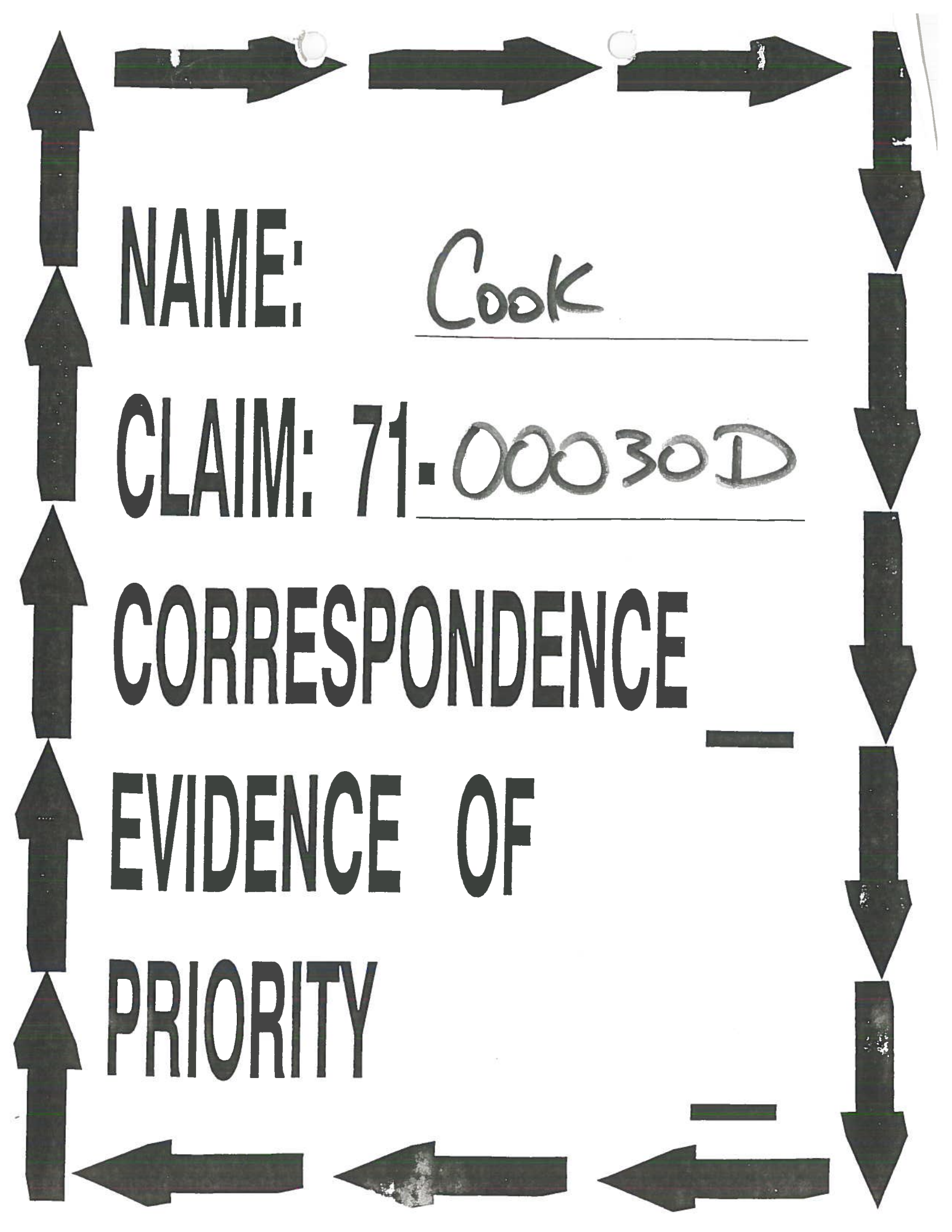




NAME:

Cook

CLAIM: 71-00030D

CORRESPONDENCE

EVIDENCE OF

PRIORITY

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: **A71-00030D**
Date Received: 11/20/1989
Receipt No: X777777
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: GEORGE E COOK 619-672-3816
Address: 1241 CAMINO LORADO
SAN MARCOS CA 92069-7106

AND/OR

Name: ESTELLE A COOK 619-672-3816
Address: 1241 CAMINO LORADO
SAN MARCOS CA 92069-7106

2. Date of Priority: JUN 9, 1908

3. Source: FISHER CREEK Trib. to: MIDDLE FK., SALMON RIVER.

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	4	NE	SE	NW		CUSTER

5. Description of diverting works:

1/2 HP SURFACE PUMP TO 1" PIPE & HOSE SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
AESTHETIC	01/01	12/31	0.020		
IRRIGATION	04/15	10/15	0.080		

7. Total Quantity Appropriated is:

0.100 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 40.0 Acre Feet Per Annum.

9. Non-irrigation uses:

J/1, WATERING OF NATURAL WILDLIFE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	14E	4	NW	SE		AES	
			NW	SE		IRR	4.0
					Section Acres		4.0
					Total Acres		4.0

11. Place of use in counties: CUSTER

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

04-Mar-1994 14:13

George & Estelle Cook
1241 Camino Lorado
San Marcos, CA 92069-7106

RE: SRBA Claim A71-10085 number change to A71-00030D

Dear Claimants:

In our review of the claims filed in the Snake River Basin Adjudication we have found it necessary to renumber your claim as described above. This action may have been taken as a result of one of the following described situations:

A. We are correcting a duplication of numbers made when the claims were initially taken.

B. We are correcting the number since it was initially assigned in the wrong basin.

C. We have matched an existing water right number with the water use you claimed and for continuity have changed the number to correspond.

D. We have reviewed the water right record corresponding to the your initial claim and have found that the water right record does not exactly correspond so a new number has been assigned.

Please note that the change in the number of your claim does not affect the validity of your claim. Please refer to the new number in all future correspondence. Please find enclosed a copy of the computer record of A71-00030D. If you have any questions please feel free to contact our office.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Enc:

MAR 19 1993

March 16, 1993

Department of Water Resources

Southern Region Office

The Court, Regarding water right # 82002

I/we are enclosing a copy of the incense report & also our Warranty d copy. We believe we have the right's to Fisher Creek based these documents. When we purchased the property we believed we had water rights to Fisher Creek. Every year since 1971 we personally have used the water from Fisher Creek for a period of 2 to 3 weeks every summer.

We claim aesthetic use also. In other words, this means that the creek will always have a minimum amount of water so that it will sound like a creek & be beautiful to look at instead of water being used for irrigation the point of drying up the creek bed. In the future we hope that Fisher Creek will be used to bring back the salmon & then all of us will benefit being a help to nature. I'm not a

be as natural as possible & that
by I'm sending copies of these papers
that you will consider that "The owner
the Friendly house" Catherine Shaw &
5 historical priority date of 1908
accepted & you will rule that
eternal Fisher creek will continue
gurgles & water the wild animals
to live in the area

Thank you
Estelle Cook
George Cook

524
Fisher Creek
Custer County
second foot
irrigation and domestic
Priority 6-19-1908

RECEIVED

MAR 19 1909

Department of Water Resources
Southern Region

Date December 16, 1908.

WHEREAS, On the 19th day of June A.D. 1908, KATHERINE B. SHAW, of Pierson, County of Custer, State of Idaho, duly made application (No. 41) to me for a permit to use 6.4 cubic feet per second of the waters of Fisher Creek, County of Custer, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the 8th day of August, A.D. 1908, Permit No. 3891, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 8th day of August A.D. 1909, and for the application to permit the use of said water on or before the 8th day of August A.D. 1909, and

WHEREAS, On the 7th day of August A.D. 1909 KATHERINE B. SHAW the holder of said permit duly made proof of the completion of a canal for the diversion of 6.4 cubic feet per second of said waters, as evidenced by my report No. 1, dated September 17, 1909, as confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 6.4 cubic feet per second of said water with date of priority of June 19, 1908, and

WHEREAS, On the 7th day of August A.D. 1909 KATHERINE B. SHAW the holder of said permit duly made proof of the application to the official map of 6.4 cubic feet per second of said water.

NOW, THEREFORE, in exercise of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to KATHERINE B. SHAW of Pierson, County of Custer, State of Idaho, the holder and owner of said Permit No. 3891, a perpetual right, dating from June 19, 1908, to the use of 6.4 cubic feet per second of the waters of Fisher Creek, in the County of Custer, and State of Idaho, or so much more of as may be necessary for the purposes hereinafter mentioned, to be diverted at a point about one and one-fourth miles above the mouth of Fisher Creek and Salmon River, and conveyed to and upon 80 acres of unsurveyed land in what will probably be Township 9 North Range 1 East of Boise, Idaho, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject also to the local or community customs, rules and regulations which have been or may be adopted from time to time by the majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESSED, my hand and the seal of my office at Boise Idaho, this seventeenth day of September A.D. Nineteen hundred and nine.

(SEAL)

Recorded September 17, 1909

J. S. Stephenson, Jr.
State Engineer

71 2002

Report of Engineer

1. State name of applicant and number of permit: *M. R. Katherine R. Shaw*
 2. State source of water supply: *Fisher Creek*
 3. Location of point of diversion: *about one and one fourth mile above confluence with Salmon River*
 4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *Complete with exception of very small amount*
 5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: *210 1 2 ft. 210 2 3 ft.*
 - (b) Width at water line: *no more than 2 ft. no more than 3 ft.*
 - (c) Depth of water: *210 1 9 to 12 inches 210 2 9 to 12 inches*
 - (d) Grade per mile: *30 feet*
 6. State whether or not water has been turned into works of diversion and if so, to what extent: *water has been turned into ditches fully*
 7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *land is water-irrigated and will probably be in township 9 N. range 14 E 280 acres are irrigated for pasture and meadow*
 8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.
- Remarks: *at time of my inspection ditches were complete with exception of about one day's work with some small work. It can be said that water are practically complete and water is being run onto the land in accordance with permit.*

STATE OF IDAHO

County of *Custer*

A. Slothower

RECEIVED

SEP 4 1913

CLERK OF DISTRICT COURT

being first duly sworn, deposes and says that the

ments contained in the within report are correct to the best of his knowledge and belief

Subscribed and sworn to before me this *second* day of *July*

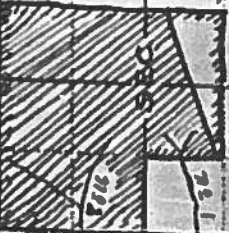
My Commission Expires *July 15 1915*

Robert H. [illegible]

1698

~~SECRET~~

Admiral Shapton



1000

RECEIVED

SEP 1 1909

OFFICE OF STATE DEPT.

SEC.

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SEC.

Dr. R. H. Shaw

COUNTY OF CUSTER) SS

I hereby certify that the foregoing is a full, true and correct copy of the original on file in this office. February 14, 1986

Ethel M. Leck
By: Mary Thompson

WARRANTY DEED

For Value Received

JOHN A. PAULUS and MARGARET P. PAULUS, husband and wife

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto

GEORGE E. COOK and ESTELLE A. COOK, husband and wife

Hereinafter called the grantee, the following described premises, to-wit:

A fraction of the E 1/4 of Section 4, Township 12N, Range 14E, East of the Boise Meridian, more particularly described as follows:

Commencing at the Easterly corner of Section 4 a distance of 311.6 feet, thence North 55° 08' West 663.3 feet, thence North 77° 47' West 1652.9 feet, thence North 73° 42' West 319.1 feet, thence South 11° 46' West 434.6 feet, thence North 57° 58' West 179.1 feet, thence N 0° 03' East 655.87 feet to the POINT OF BEGINNING and the Southeastly corner of the tract of land herein described, thence South 89° 18' West 416.8 feet, thence North 0° 03' East 522.55 feet, thence North 89° 18' East 416.8 feet, thence South 0° 03' West 522.55 feet to the POINT OF BEGINNING.

TOGETHER with a perpetual easement for ingress and egress there to and from U. S. Highway 93 in common with other land owners, and all appurtenant ditch and water rights from Fisher Creek, only.

SUBJECT to the reservations, restrictions, and covenants herein set forth and which run with the title and the premises above described as follows: That said premises are restricted to not more than one residence for five (5) acres thereof, any such residence to blend with the surroundings and have non-metallic roof construction, and said premises shall not be used for commercial purposes.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that they are free from all incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 19, 1971

John A. Paulus
Margaret P. Paulus

STATE OF IDAHO, COUNTY OF Custer
On this 25 day of October, 1971
before me, a notary public in and for said State, personally appeared
JOHN A. PAULUS and MARGARET P. PAULUS, husband and wife

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

STATE OF IDAHO, COUNTY OF Custer
I hereby certify that this instrument was filed for record at the request of Western Title Company at 3:00 minutes past 11 o'clock A.M. this 25 day of November, 1971, in my office, and duly recorded in Book 127, Page 127.

Notary Public

Deputy



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

09-Feb-1993 10:03

George E & Estelle A Cook
1241 Camino Lorado
San Marcos, CA 920697160

RE: Evidence of Priority
SRBA Claim A71-10085

*** SECOND REQUEST ***

Dear Claimant:

Our records indicate that your claim(s) referenced above is based on either a "Statutory Claim" or "Beneficial Use" of the water. Before the Department can make a recommendation to the Court for claims of this type we are required to substantiate with supporting evidence the "Priority Date" which has been claimed. We have previously requested that you submit this supporting evidence in our letter dated March 2, 1992. To date we have not received the requested documentation.

Again we are enclosing a brochure outlining the types of evidence you may submit and a computer printout of your claim for reference. We request that you submit your evidence before April 1, 1993.

SPECIAL NOTE:

- *It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a notarized affidavit.
- *Please reference the above claim number(s) on your response.
- *If we do not receive the requested documentation your claim(s) will be recommended to the Court for disallowal due to lack of evidence supporting the priority date.

If you have questions or need other assistance please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Allen D. Merritt'.

Allen D. Merritt, P.E.
Water Rights Supervisor

Encl:

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

A71-00030D

Ident. Number: ~~A71-10085~~

Date Received: 11/20/1989

Receipt No: S010507

Received By: _____

address change *HC*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE E. COOK 619-672-3816
Address: 1241 CAMINO LORADO
SAN MARCOS CA 92069-7106

AND/OR

Name: ESTELLE A. COOK 619-672-3816
Address: 1241 CAMINO LORADO
SAN MARCOS CA 92069-7106

2. Date of Priority: JUN 9, 1908

3. Source: FISHER CREEK Trib. to: MIDDLE FK., SALMON RIVER.

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	4	NE	SE	NW		CUSTER

5. Description of diverting works:
1/2 HP SURFACE PUMP TO 1" PIPE & HOSE SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
AESTHETIC	01/01	12/31	0.020		
IRRIGATION	04/15	10/15	0.080		

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

8. Total consumptive use is 40.0 Acre Feet Per Annum.

9. Non-irrigation uses:
J/1, WATERING OF NATURAL WILDLIFE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	14E	4	NW	SE		AES	
			NW	SE		IRR	4.0
					Section Acres		4.0
					Total Acres		4.0

11. Place of use in counties: CUSTER

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

26-Mar-1992

GEORGE E. COOK
ESTELLE A. COOK
1241 CAMINO LORADO
SAN MARCOS CA 92069-7106

RE: CHANGE OF ADDRESS/ ADJUDICATION CLAIM NO. A71-10084, A71-10085

DEAR CLAIMANT(S):

PLEASE REVIEW THE COMPUTER GENERATED CLAIM(S) 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.

SINCERELY,

A handwritten signature in cursive script, appearing to read 'Jeanie', written over the typed name and title.

JEANIE ROBERTSON
RECORDS CLERK

/jr
Enclosures

MICROFILMED
MAR 17 1993

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: ~~A71-10085~~ **A71-00070-D**

Date Received: 11/20/1989

Receipt No: S010507

Received By: B. V. S. K.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE E. COOK 619-672-3816
Address: 11126 ALMAZON ST.
SAN DIEGO, CA 92129

AND/OR

Name: ESTELLE A. COOK 619-672-3816
Address: 11126 ALMAZON ST.
SAN DIEGO, CA 92129

2. Date of Priority: JUN 09, 1908

3. Source: FISHER CREEK Trib. to: MIDDLE FK., SALMON RIVER.

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	14E	4	NE	SE	NW		CUSTER

5. Description of diverting works:

1/2 HP SURFACE PUMP TO 1" PIPE & HOSE SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
AESTHETIC	01/01	12/31	0.020		
IRRIGATION	04/15	10/15	0.080		

7. Total Quantity Appropriated is:

0.100 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 40.0 Acre Feet Per Annum.

9. Non-irrigation uses:

J/1, WATERING OF NATURAL WILDLIFE.

A71-10085

Page 1

Date: 11/20/89

MICROFILMED

MAR 17 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	14E	4	NW	SE	AES	
			NW	SE	IRR	4.0
					Section Acres	4.0
					Total Acres	4.0

11. Place of use in counties: CUSTER

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 _____

Your Name (Print or type. Last name, first name, middle initial.) George E Estelle A Cook		Old Address No. & Street A71-10885 City SAN Diego CA 92129		New Address No. & Street City State ZIP + 4	
Apt./Suite No. PO Box RR No. Rural Box No.		State ZIP + 4		City State ZIP + 4	

For publications, businesses, and publications who send you mail.
 For publications, tape an old address label over name and address

MICROFILMED
MAR 17 1993

COOK125 92129034 1247 03/03/92
 NOTIFY SENDER OF NEW ADDRESS
 COOK
 1241 CAMINO LORADO
 SAN MARCOS CA 92069-7106

Sign Here
George E Cook

MICROFILMED
MAR 17 1993

Change of Address

Request for:

Correspondents

Publishers and

Businesses



Please Type or Print

NAME (Correspondent or Title of Publication)

ADDRESS (Street Number, Street Name and Apt. # if applicable)

CITY STATE ZIP + 4 CODE

MAR 24 1992

Department of Water Resources

Southern Region Office

*State of Idaho
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301*

☆ U.S. G.P.O. 1991-288-988

MICROFILMED

MAR 1 1993

**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

A71-10085

Date Received

Receipt Number

5010507

54

**NOTICE OF CLAIM
TO A
WATER RIGHT**

ACQUIRED UNDER STATE LAW

RECEIVED

NOV 20 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) George E Cook and Estelle A Cook Phone (619) 672-3816Mailing Address 11126 Alamazon St, San Diego, CA Zip 921292. Date of Priority (Only one (1) per claim) June 9, 19083. Source of water supply (a) Fisher Creek
which is tributary to (b) Middle Fork Salmon River4. a. Location of existing point of diversion is: Township 8N Range 14E Section 4,
NE 1/4 of SE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of CusterAdditional points of diversion if any: None

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.1/2 HP Surface Pump to 1" Pipe & hose sprinklers**MICROFILMED****MAR 17 1993**

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Aesthetic purposes from Jan 1 to Dec 31 amount .02 or _____

For Irrigation purposes from Apr 15 to Oct 15 amount .08 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .1 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 40 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Aesthetic use to provide instream watering of natural wildlife and personal stock

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	
8N	14E	4																	4

Total number of acres irrigated 4

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

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:

Last Name Cook Ident No. _____

MICROFILMED

MAR 17 1993

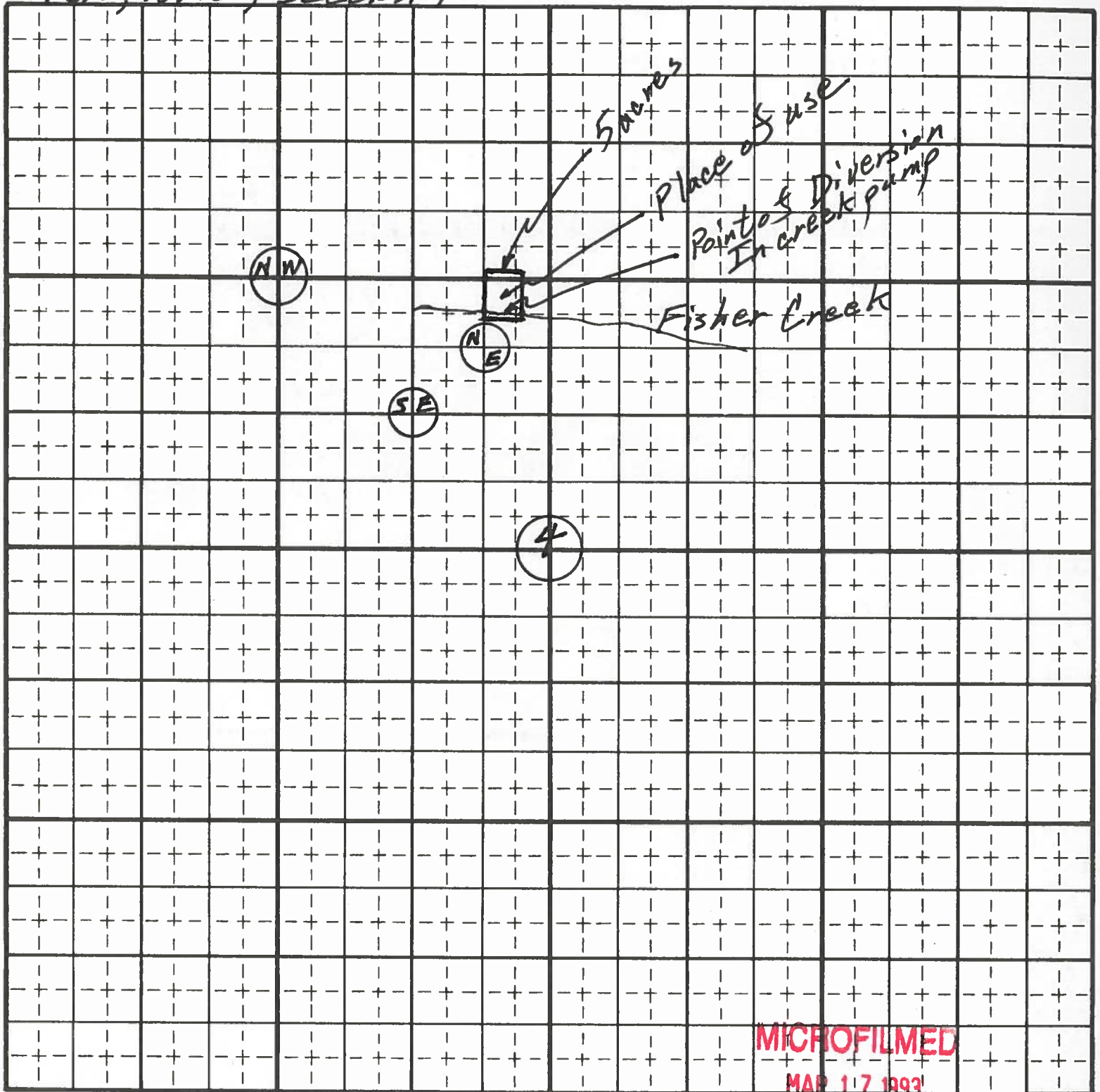
Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

8 inches equals 1 mile

T8N, R14E, Section 4



MICROFILMED

MAR 17 1993

See attachment

Last Name Cook

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X 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)

George Cook
Estelle A. Cook

Date 11/3/89

Date 11/3/89

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

of _____ Title _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title

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

Organization

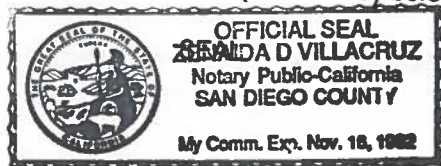
Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of ~~Idaho~~ CALIFORNIA)
County of SAN DIEGO) SS.

Subscribed and sworn (or affirmed) before me this _____ 3rd _____ day of _____ NOV. _____ 19 89



Notary Public

Sandra D. Villacruz

Residing at 9889 ERMA ROAD SAN DIEGO CA 92126

My Commission Expires Nov. 16, '92

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 Cook Ident. Number _____

MICROFILMED

MAR 17 1993

Copies White-State, Yellow-Claimant

5
4

0004 E

10 N 14 E D.M.
T 8 N R 14 E B.M.

Attachment #1

LOT 4 NW 4 NW 4

39.56 A

RACINE
FURCY
141457

0001

LOT 3 NE 4 NW 4

T 1882

Stonley Basin Corp

141457

FURCY RACINE

0001

1320 S
T-1458

00

3610

T-11-94
183440

Stonley Basin Corp
FURCY RACINE
141457

Stonley Basin Corp
FURCY RACINE
141457

3630

1913 Dec

1913 Dec

Fisher Co.
SE 4 NW 4

T-19-84
Ed Elliott
150029 AC.
1406 AC.

Stonley Basin Corp
D.A. W. H. H. etc.
T-1882

T 1962

129418

132451

129418

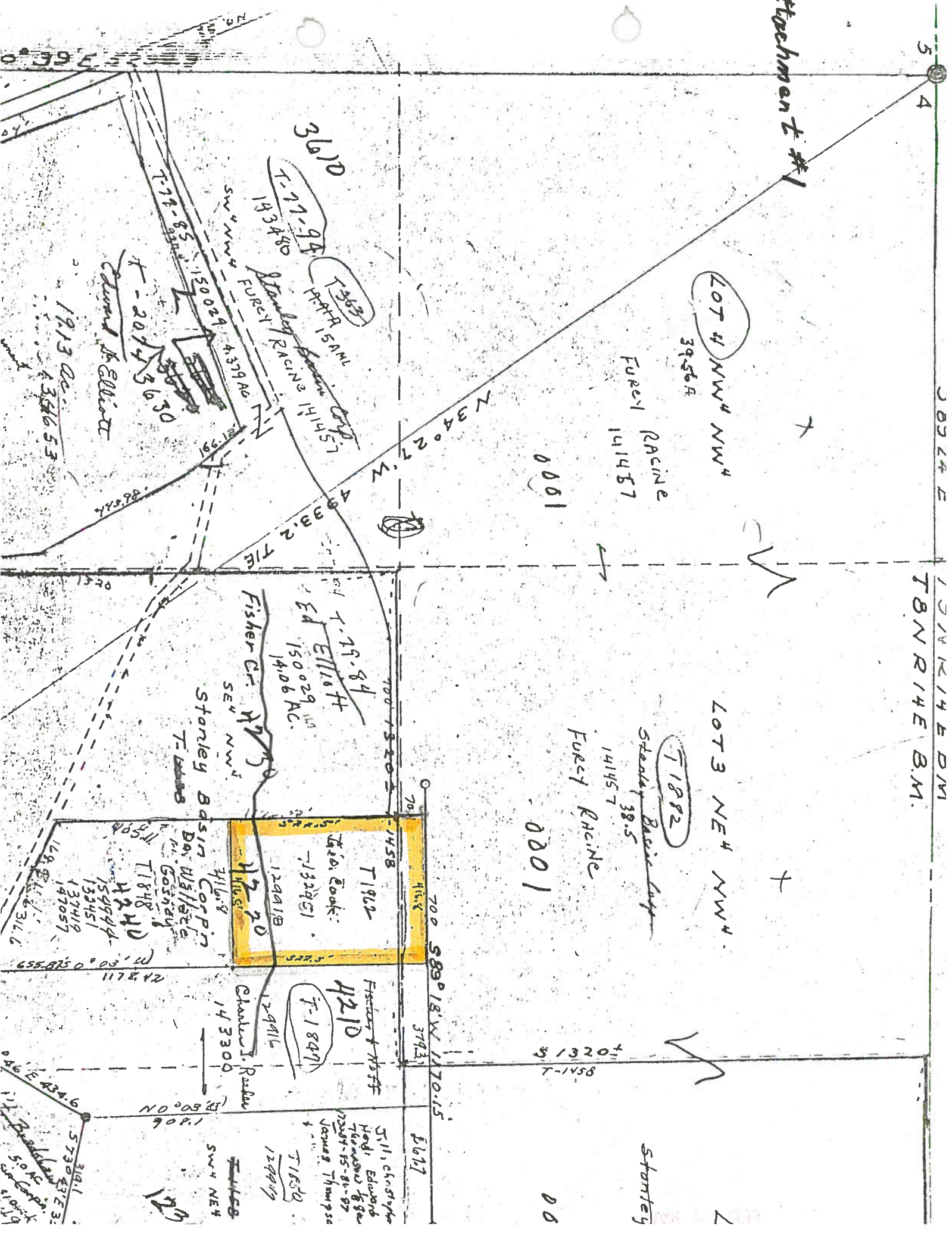
4210

T-1849

Charles J. Raden

SW 4 NE 4

12





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

Nov. 22, 1989

Re: A71-10085
A71-10084

GEORGE E COOK
11126 ALMAZON ST
SAN DIEGO CA 92129

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,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 17 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

March 2, 1992

R. KEITH HIGGINSON
Director

A71-10085
GEORGE E. COOK
ESTELLE A. COOK
11126 ALMAZON ST.
SAN DIEGO CA 92129

RE: Evidence of Priority

RESPONSE DEADLINE

MAY 1, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by May 1, 1992, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 17 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

09-Feb-1993 10:03

George E & Estelle A Cook
1241 Camino Lorado
San Marcos, CA 920697160

RE: Evidence of Priority *** SECOND REQUEST ***
SRBA Claim A71-10085

Dear Claimant:

Our records indicate that your claim(s) referenced above is based on either a "Statutory Claim" or "Beneficial Use" of the water. Before the Department can make a recommendation to the Court for claims of this type we are required to substantiate with supporting evidence the "Priority Date" which has been claimed. We have previously requested that you submit this supporting evidence in our letter dated March 2, 1992. To date we have not received the requested documentation.

Again we are enclosing a brochure outlining the types of evidence you may submit and a computer printout of your claim for reference. We request that you submit your evidence before April 1, 1993.

SPECIAL NOTE:

- *It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a notarized affidavit.
- *Please reference the above claim number(s) on your response.
- *If we do not receive the requested documentation your claim(s) will be recommended to the Court for disallowal due to lack of evidence supporting the priority date.

If you have questions or need other assistance please contact this office.

Sincerely,

Allen D. Merritt, P.E.
Water Rights Supervisor

Encl:

MICROFILMED

MAR 17 1993

CONVERSATION MEMO

FILE: A 71-10085

AGENT: KKC

DATE: 2-16-93

RE: EVIDENCE OF PRIORITY

NAME OF PARTY: Mrs. Cook.

The claim may actually be based upon
71-02002,

Lots of questions about claim exist. The
aesthetic use appeared to be an in-stream use based
upon the telephone conversation this date. Not Sure.

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MAR 17 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

16-Feb-1993

ESTELLE A COOK
1241 CAMINO LORADO
SAN MARCOS CA 9206-97106

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM A71-10085

Dear Ms Cook

Enclosed are three pages copied from the micro fiche records of water right 71-02002 which is available in this office. There are other documents within the file but these three highlight the pertinent information.

The two pages of the 'Report of Engineer' describe the property irrigated as of July 2, 1909. Please compare your irrigation system to the irrigated ground and delivery system within the sketched place of use. They should show some relationship for your use to be based upon that water right. Your claim indicates diversion by a pump in Fisher Creek and, although the claim shows ditches and flood irrigation, a change in methods of diversion will not necessarily exclude you from claiming 71-02002 as the base right. Eventually the the history of changes will be reviewed and the agent doing the review may have additional questions pertaining to the continuous use for irrigation of that right. I do not have enough information available at this time to determine one way or the other if your use is in fact based upon 71-02002. The third page is the license issued by the department on September 17, 1909.

Based upon a limited search, I did not find any other claims that were based upon 71-02002.

Before the aesthetic use can be recommended additional information is necessary. Under normal circumstances, an in-stream aesthetic use will not be recommended to an individual and that was the impression I received during our telephone conversation. If you have a diversion and use for

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MAR 17 1993

COOK
PAGE 2
16-Feb-1993

aesthetic purposes which you wish to claim under 71-02002, you will be required to provide information showing the change in nature of use from the original irrigation to aesthetic. If the aesthetic use was established in addition to the irrigation of your four acres then it would be a new appropriation and be required to be claimed separately.

I realize that I probably have raised more questions than I have answered but as I am working with incomplete information I can only anticipate possible solutions and advise you accordingly. If you have any further questions please contact this office and I here can discuss them with you.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

enclosures

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MAR 17 1993

Report of Engineer

1. State name of applicant and number of permit: *U. S. Slothower*
2. State source of water supply: *French Creek*
3. Location of point of diversion: *about 1/2 mile from point where above creek enters main channel*
4. State whether or not the works of diversion are now completed and in accordance with terms of permit: *Complete with exception of final head gate*
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of channel at bottom: *10 ft*
 - (b) Width at water surface: *12 ft*
 - (c) Depth of water: *10 ft*
 - (d) Grade per mile: *10 ft*
6. State whether or not water has been turned into works of diversion and if so, to what extent: *water has been turned into ditch fully*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *land is in township 9 N. range 12 E. 280 acres are irrigated for pasture and meadow*

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: *at time of inspection ditch was complete with exception of about one day's work with some small team. It can be said that work is practically complete and water in ditch now suits the land in accordance with permit.*

U. S. Slothower
 RECEIVED

STATE OF IDAHO

County of *Custer*

U. S. Slothower

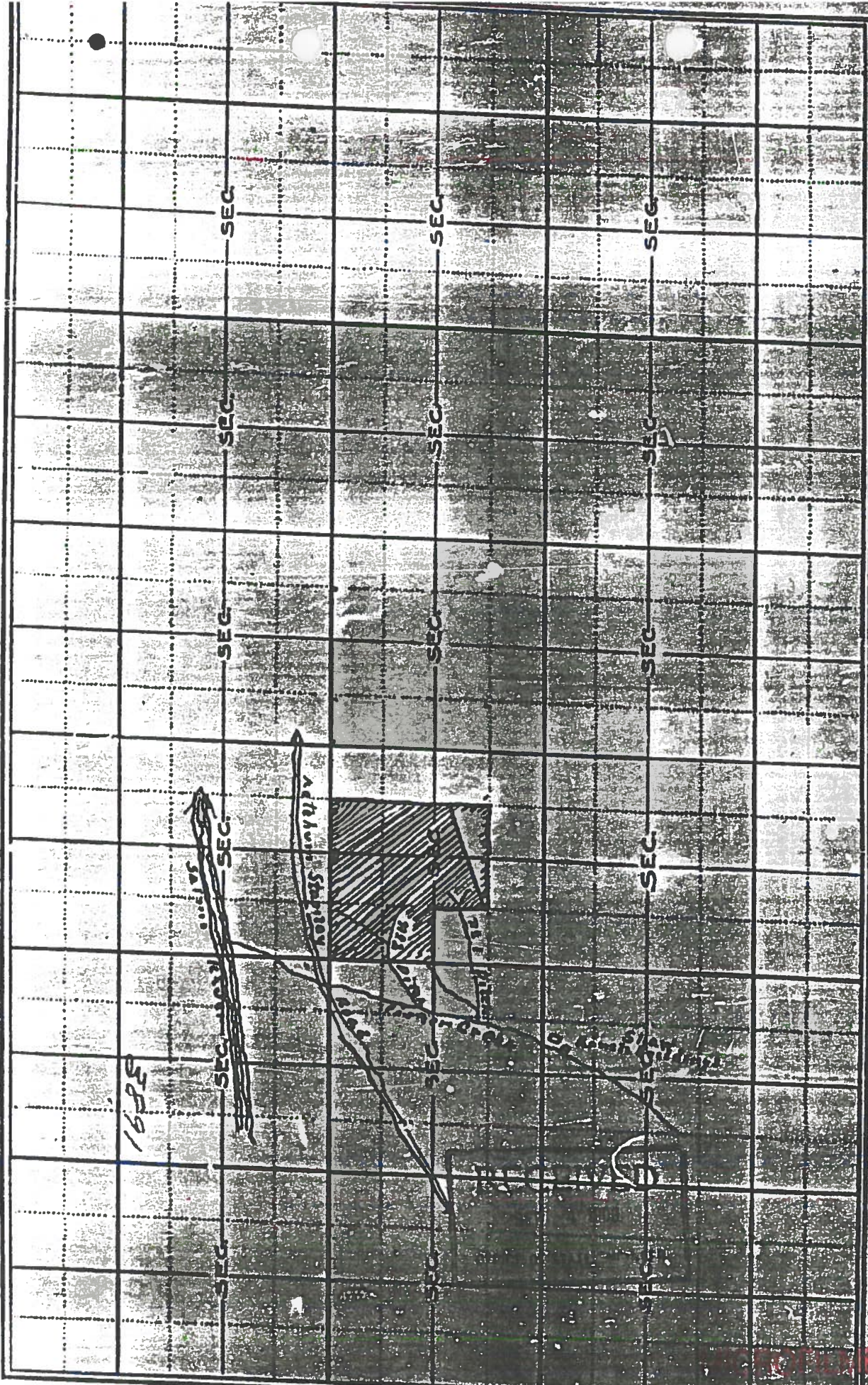
being first duly sworn, deposes and says that the contents contained in the within report are correct to the best of his knowledge.

Subscribed and sworn to before me this *10th* day of *June* 191*1*.

My Commission Expires *July 10 1911*

MICROFILMED

MAR 17 1993



3581

SECRET
NOV 17 1954

July 22, 1998

**NOTICE OF ERROR
REPLY**

71-00030D AM
RECEIVED
AUG 10 1998
Department of Water Resources
Southern Region

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: August 14, 1998

Water right number: 71-00030D

GEORGE E COOK
ESTELLE A COOK
PO BOX 400
STANLEY ID 83278

Daytime Telephone Number:

Evening Telephone Number:

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: 7/31/98 SIGNATURE: George E Cook
Please print your name: George E Cook

AJ0743NP
(00-124)

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

05/29/98 09:25:53
Page 1

Water Right Number - R71-000300

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
COOK

GEORGE E

1 - PO BOX 400
2 -
3 -

State- ID Zip- 83278

City- STANLEY
Phone - 208-774-3601
1 - PO BOX 400
2 -
3 -

City- STANLEY
Phone - 208-774-3601

State- ID Zip- 83278

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/09/1908 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
FISHER CREEK SALMON RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

08N 14E 4 NE SE NW (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 05/01 09/30

0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.020 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08N 14E 4 SE NW 1.6 01 IRRIGATION (37) CUSTER

Total Acres: 1.6

+ - - Diversion Means - 1/2 HP SURFACE PUMP TO 1" PIPE & HOSE SPRINKLERS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

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

Prefix Translation: RESEARCH

Decree Plaintiff	Decree Defendant	Decree Date
00/00/0000		

THIS CLAIM WAS ORIGINALLY MADE UNDER A71-10085, IT WAS RENUMBERED DURING CLAIM REVIEW.

Adjudication Rights Dates and Flags Area						
Court Report Filing	- 00/00/0000	Field Inspection Made	- 09/08/1993	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	- 11/20/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P	
		Receipt Number	- X777777	Water District	-	
		POU Ownership Flag	- Y	Federal/State Indicator	- S	
		Name Connector	- AND/OR	Presumption Flag	-	
				Notice of Error Flag	-	

71-00030 D

TRANSFER NUMBER _____

HOMESTEAD ENTRY NO. _____

CLAIMED ACRE TOTAL _____

GEOGRAPHIC INFO ACRES _____

CLAIM NUMBERS _____

DATE 3/25/98

AGENT AD

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	8N	14E	4								1.6								1.6
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B71-DBPOD.SHP

NOS DESCRIPTION

70 NESENW Sect 4

B71-DBPOU.SHP

SHAPE NOS

111

DBF TABLES UPDATED

B71-DBPOD.DBF

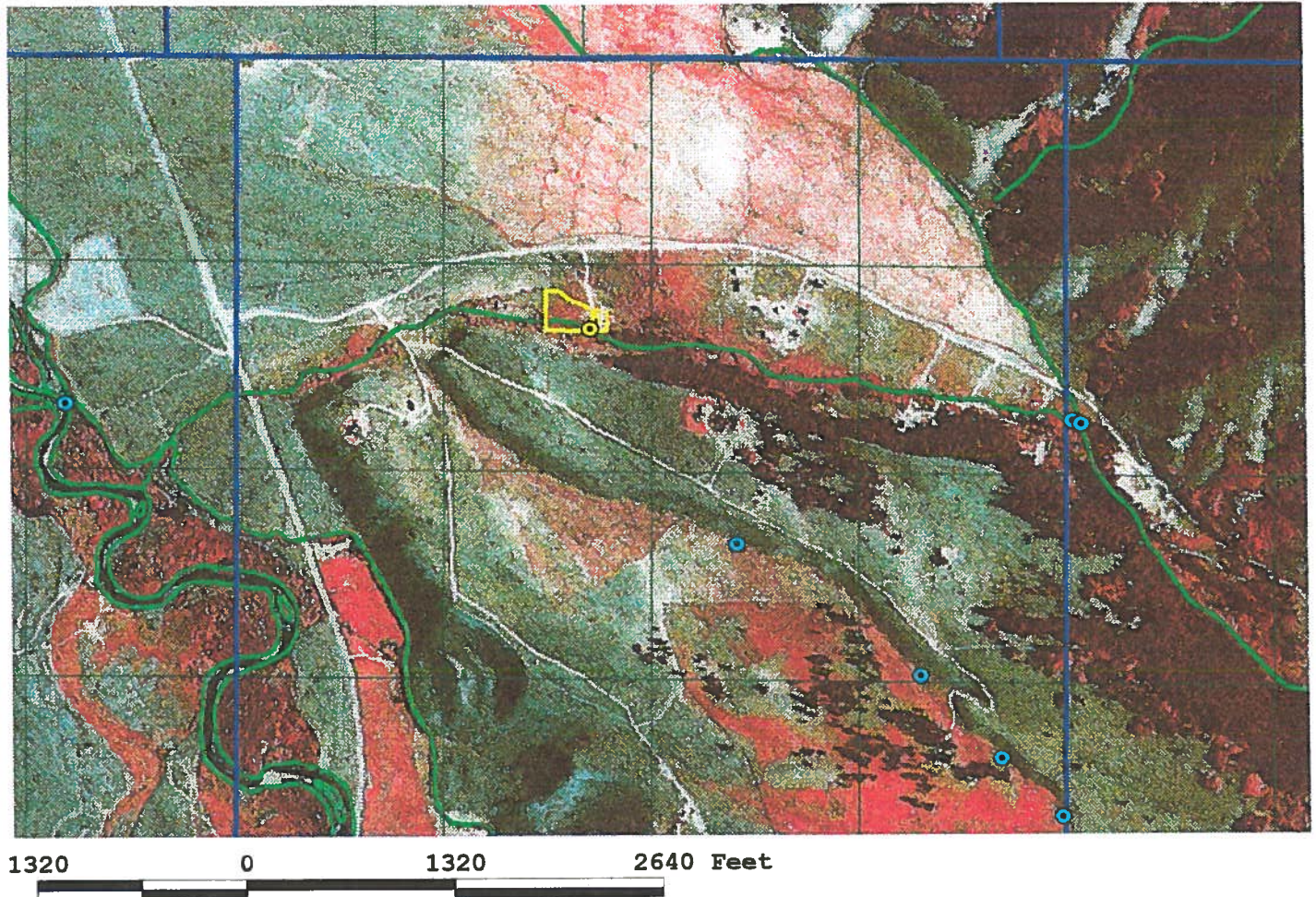
✓

B71-DBPOU.DBF

✓

IDAHO DEPARTMENT OF WATER RESOURCES

71-00030D



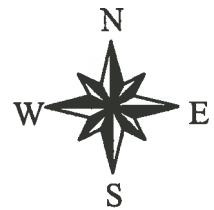
POU:

TWP 08N, RGE 14E, SEC 4

POD:

FISHER CREEK - NESENW SEC 4

TWP 08N, RGE 14E



- RECOMMENDED PLACE OF USE
- RECOMMENDED POINT OF DIVERSION
- SECTION LINES
- QUARTER QUARTER LINES
- STREAM AND DITCH CHANNELS

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY MAY 1998
BY ALLEN MERRITT

CLAIM	INIT
T. R. S. Q/Q	
P/D	
PHOTO	V-70
DT.&ID.	

Manoria Shaw
 71-00028 } Fishery
 71-00029 }

Decreed
P/C

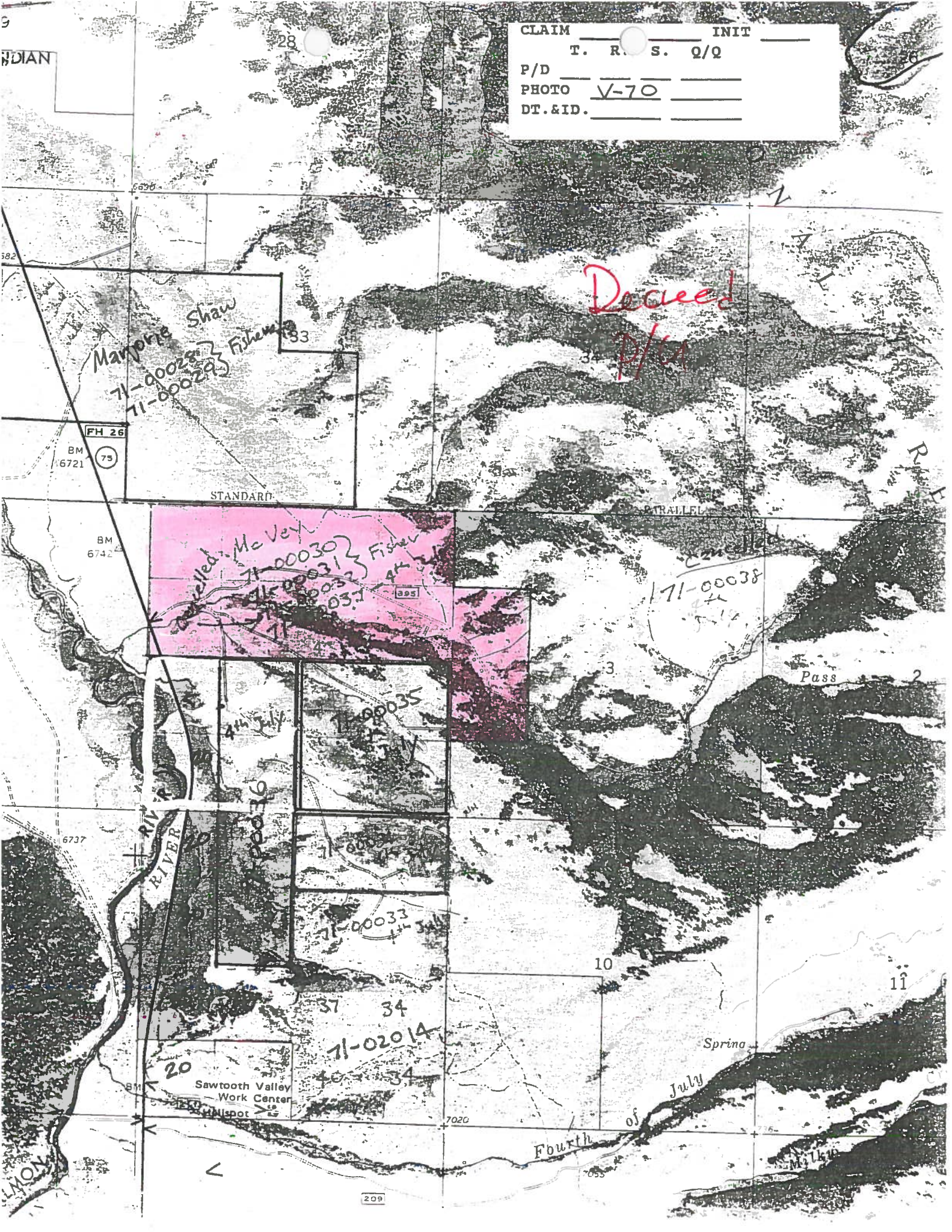
Cancelled McVey
 71-00030 } Fishery
 71-00031 }
 71-00032 }
 71-00033 }

Cancelled
 71-00038

4th July
 71-00035
 71-00036
 71-00033
 71-02014

Sawtooth Valley
 Work Center
 Millspot

Spring
 of
 Fourth



IDAHO DEPARTMENT OF WATER RESOURCES
EXEL PROGRAM

FOR RIGHT NO: 71-00030

BY: ADM
DATE: #####

BASE RATE: 1.40 CFS

CREATED ON 2-1-94
BY ADM & KKC
MODIFIED DATE
5/5/98 BY ADM

OWNER	CLAIMED	ACRES	FIRST	POTENTIAL	FIRST	2ND	2ND	POTENTIAL	SECOND	PRELIM	RATE	RATE
	RATE	FOUND	SHARE	SHARE OF	CUT	ACRE	SHARE	SHARE OF	CUT	SUMMARY	PER	ACRE
			OF BASE	BASE RATE			ITERATION	REMAINING				
A71-00030B MOHELO	0.24	5.9	5.0%	0.070		5.9	5.0%	0.070	0.070	0.070	0.012	0.012
A71-00030C STONE	1.40	110.1	93.6%	1.311		110.1	93.6%	1.311	1.311	1.311	0.012	0.012
A71-00030D COOK	0.10	1.6	1.4%	0.019		1.6	1.4%	0.019	0.019	0.019	0.012	0.012

0.07
1.31
0.02
1.40

SUMS	1.74	117.6	100.0%	1.400	0.000	117.6	100.0%	1.400	1.400	1.400		
			FIRST ITERATION BALANCE									
			NOT ALLOCATED ==>	1.400	CFS							

TOTAL POTENTIAL
ALLOCATED RATE
BEFORE HUBBLE ==> 1.400 CFS
BALANCE NOT
ALLOCATED ==> 0.000 CFS

MAR-14-1997
0001

1

RIGHT NUMBER: 71-000300

NAME AND ADDRESS:

GEORGE E COOK
ESTELLE A COOK
PO BOX 400
STANLEY ID 83278

SOURCE:

FISHER CREEK
TRIBUTARY: SALMON RIVER

QUANTITY:

0.02 CFS

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

PRIORITY DATE:

06/09/1908

POINT OF DIVERSION:

T08N R14E S04

NESENM

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC DOMESTIC/ IRRIGATION OF L

PERIOD OF USE
05-01 09-30

QUANTITY
0.02 CFS

PLACE OF USE:

DOMESTIC
T08N R14E S04

Within CUSTER County
SENM

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

Not Dqs
Poll from
Div P4-1

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

02/12/97 08:09:53
Page 1

Water Right Number - R71-000300

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***

COOK

GEORGE E

COOK

ESTELLE A

1 - PO BOX 400
2 -
3 -
City- STANLEY
Phone - 208-774-3601
1 - PO BOX 400
2 -
3 -
City- STANLEY
Phone - 208-774-3601
State- ID Zip- 83278

Priority Date - - +
06/09/1908

Region - - +
17 SOUTHERN

Stage - - +
D - DECREED

Status - - - +

Source - - - - +
FISHER CREEK

Tributary - - - - +
SALMON RIVER

Point of Diversion - - - - +
Diverion Name

Trn Rng Sec Tract Lot Rflg County
08N 14E 4 NE SE NW (37) CUSTER

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
76 DOMESTIC 05/01 09/30 0.020

Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KW Usage - +
0.020

Trn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08N	14E	4	SE NW			76 DOMESTIC		(37) CUSTER

- - - Diversion Means - 1/2 HP SURFACE PUMP TO 1" PIPE & HOSE SPRINKLERS.

- - - Non-Irrigation Use - ~~DOMESTIC IRRIGATION OF LAWN & NATURAL VEGETATION AROUND CABIN~~ 1 yard

- - - Other Rights for Same Use - NONE

Remarks - - -
No Remarks found.

Old Water Right Numbers - - -
No Old Water Right Numbers found.

Conditions of Approval - - -
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

Handwritten notes:
Have to modify
2010
OK

Prefix Translation: RESEARCH

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 03/04/94 MERRITT 03/30/95 POST-STD 10/11/96 TFAWCETT 01/13/97 D&S-DSHA

-Comments

+ - - - - - Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 09/08/1993	Civil Case Number	-	39516
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	- 11/20/1989	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	- X777777	Federal/State Indicator	- S	
		POU Ownership Flag	- Y	Presumption Flag	-	
		Name Connector	- AND/OR	Notice of Error Flag	-	

JUN-28-1995
0399

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
71-000300	GEORGE E COOK ESTELLE A COOK 1241 CAMINO LORADO SAN MARCOS CA 92069-7106	06/09/1908	DOMESTIC	05-01 09-30	0.02	CFS DECREED
NON-IRRIGATION USES: DOMESTIC I Home ~~IRRIGATION OF LAWN & NATURAL VEGETATION AROUND CABIN.~~ SOURCE: FISHER CREEK POINT OF DIVERSION: NESENM 108N R14E S04 PLACE OF USE: DOMESTIC 108N R14E S04 SENM						
TOTAL QUANTITY: 0.02 CFS						
COND. CO3 Change in P.O.D. CO4 Change in purpose (Irrigation to Domestic)						

04 7-14-95

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: A71-00030D
Date Received: 11/20/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: ESTELLE A COOK 208-774-3601
Address: PO BOX 400
STANELY ID 83278
AND/OR
Name: GEORGE E COOK 208-774-3601
Address: PO BOX 400
STANLEY ID 83278
2. Date of Priority: JUN 9, 1908
3. Source: FISHER CREEK Trib. to: MIDDLE FK., SALMON RIVER.
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 08N | 14E | 4 | NE | SE | NW | | CUSTER |
5. Description of diverting works:
1/2 HP SURFACE PUMP TO 1" PIPE & HOSE SPRINKLERS.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| AESTHETIC | 01/01 | 12/31 | 0.020 | | |
| IRRIGATION | 04/15 | 10/15 | 0.080 | | |
7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 40.0 Acre Feet Per Annum.
9. Non-irrigation uses:
J/1, WATERING OF NATURAL WILDLIFE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	14E	4	NW	SE		AES	
			NW	SE		IRR	4.0
						Section Acres	4.0
						Total Acres	4.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE.

14. Remarks:
10/11/96 TF; ADDRESS CHANGED.

15. Basis of Claim: BENEFICIAL USE



SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033

GOVERNOR

KARL J DREHER
DIRECTOR

October 22, 1996

GEORGE E COOK
PO BOX 400
STANLEY ID 83278

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. A71-00030D, A71-10084, A71-10085
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in Address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

~~CECIL D. ANDRUS~~ Phil Batt
Governor

R. KEITH HIGGINSON

RECEIVED
Director

CHANGE IN ADDRESS OF THE NOTICE OF CLAIM IN THE SNAKE RIVER BASIN ADJUDICATION

JUN 26 1996

Department of Water Resources
Southern Region

[] Water Right Number(s): A71-10084
A71-10085
R71-00030 D

[X] Old Mailing Address: 1241 Camino Leraulo
San Marcus
CA. 92069

[X] New Mailing Address: P.O. Box 400
Stanley
ID 83278

[X] New Telephone Number: (208) 774-3601

[X] Signature of Claimant(s): George Cook

Date: 6/25/96



George E. Cook
P.O. Box 400
Stanley, ID 83278-0400

For IDWR use only:
Initial Review and Data Entry
Date: 10/11/96 By: [Signature]
Further Action Taken
Date: By:
Final Review and Data Entry
Date: By:

Further Action Needed:

Old (D) Number -

1 - PO BOX 400
2 -
3 -

City- STANLEY
Phone - 208-774-3601

City- STANLEY
Phone - 208-774-3601

09/30

43 DOMESTIC

"DO NOT FILM"

[illegible]

Prefix Translation: RESEARCH

Conditions of Approval

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

+	- Comments -	+
Date: 10/11/1996 User Id: TFWCETT Subject: ADDRESS CHANGE ADDRESS CHANGED PER ADDRESS CHANGE FORM FROM CLAIMANT.		

+ - - Audit Fields - - + 10/11/96 TFWCETT

----- Adjudication Rights Dates and Flags Area -----

Court Report Filing	- 00/00/0000	Field Inspection Made	- 09/08/1993	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	- 11/20/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
			-	Notice of Error Flag	-

"DO NOT FILM"



SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033

GOVERNOR

KARL J DREHER
DIRECTOR

October 22, 1996

GEORGE E COOK
PO BOX 400
STANLEY ID 83278

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. A71-00030D, A71-10084, A71-10085
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in Address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf



DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

~~CECIL D. ANDRUS~~ Phil Batt
Governor

R. KEITH HIGGINSON

RECEIVED

JUN 26 1996

CHANGE IN ADDRESS OF THE NOTICE OF CLAIM IN THE SNAKE RIVER BASIN ADJUDICATION

Department of Water Resources
Southern Region

[] Water Right Number(s): A71-10084
A71-10085
R71-00030 D

[X] Old Mailing Address: 1241 Camino Dorado
San Marcos
CA 92069

[X] New Mailing Address: P.O. Box 400
Stanley
ID 83278

[X] New Telephone Number: (208) 774-3601

[X] Signature of Claimant(s): George Cook

Date: 6/25/96



George E. Cook
P.O. Box 400
Stanley, ID 83278-0400

For IDWR use only:
Initial Review and Data Entry
Date: 10/11/96 By: [Signature]
Further Action Taken
Date: By:
Final Review and Data Entry
Date: By:

Further Action Needed:

R PROOF

CVR

MAPS

PHOTOS

MISC

Water Right Number - R71-000300 Prefix Translation: RESEARCH Old (D) Number -

*** C - CURRENT OWNER *** Last Name - First Name - Address - GEORGE E 1 - 1241 CAMINO LORADO State- CA Zip- 920697106

COOK ESTELLE A City- SAN MARCOS Phone - 619-672-3816 1 - 1241 CAMINO LORADO State- CA Zip- 920697106

2 - 3 - City- SAN MARCOS Phone - 619-672-3816 1 - 1241 CAMINO LORADO State- CA Zip- 920697106

Priority Date - 06/09/1908 Region - D - DECREED Status - 17 SOUTHERN Salmon River

Source - FISHER CREEK Tributary - SALMON RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
08N	14E	4	NE SE NW			(37) CUSTER	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
43 - DOMESTIC		05/01	09/30		0.020	

Total Div. Rate - Total Div. Volume - Total Consumptive Use - KW Usage - 0.020 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08N	14E	4	SE NW			43 DOMESTIC		(37) CUSTER

Total Acres:

- - - Diversion Means - 1/2 HP SURFACE PUMP TO 1" PIPE & HOSE SPRINKLERS.
- - - Non-Irrigation Use - DOMESTIC/ IRRIGATION OF LAWN & NATURAL VEGETATION AROUND CABIN.
- - - Other Rights for Same Use - NONE
Remarks -
No Remarks found.

Water right number - R71-000300

Prefix Translation: RESEARCH

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

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

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

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

+ - - Audit Fields - - +
03/04/94 MERRITT

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 09/08/1993 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 - P
Claim Received Date - 11/20/1989 Last Amended Date - 00/00/0000 Temporary Right -
Receipt Number - X777777 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - AND/OR Presumption Flag -
Notice of Error Flag -

Water Right Number - R71-10085

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
RENUMBERED

*** O - ORIGINAL OWNER ***
COOK

GEORGE E

1 -
2 -
3 -
City- X
Phone - 208-000-0000

State- ID Zip- 0

COOK

ESTELLE A

1 - 1241 CAMINO LORADO
2 -
3 -
City- SAN MARCOS
Phone - 619-672-3816
1 - 1241 CAMINO LORADO
2 -
3 -
City- SAN MARCOS
Phone - 619-672-3816

State- CA Zip- 920697106
State- CA Zip- 920697106

Priority Date - +
06/09/1908

Region - +
17 SOUTHERN

Stage - +

Status - +
2 - SEE REMARKS

Source - +
FISHER CREEK
RENUMBERED

Tributary - +
MIDDLE FK., SALMON RIVER.

Point of Diversion - +
Twn Rng Sec Tract Lot Rflg County
08N 14E 4 NE SE NW (37) CUSTER

Code Description
52 - AESTHETIC
01 - IRRIGATION

Period From Period To
01/01 12/31
06/15 10/15

Water Use
0.020
0.080

Diversion Rate Diversion Volume

Total Div. Rate - + Total Div. Volume - +
0.100

Total Consumptive Use - + Total KW Usage - +
40.0

Place of Use - +
Twn Rng Sec Tract Lot Acres Code Description County
08N 14E 4 NW SE 4.0 01 IRRIGATION (37) CUSTER
08N 14E 4 NW SE 52 AESTHETIC (37) CUSTER

Total Acres: 4.0

- - - Diversion Means - 1/2 HP SURFACE PUMP TO 1" PIPE & HOSE SPRINKLERS.

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE.

[illegible]

Old Water Right Numbers

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

```

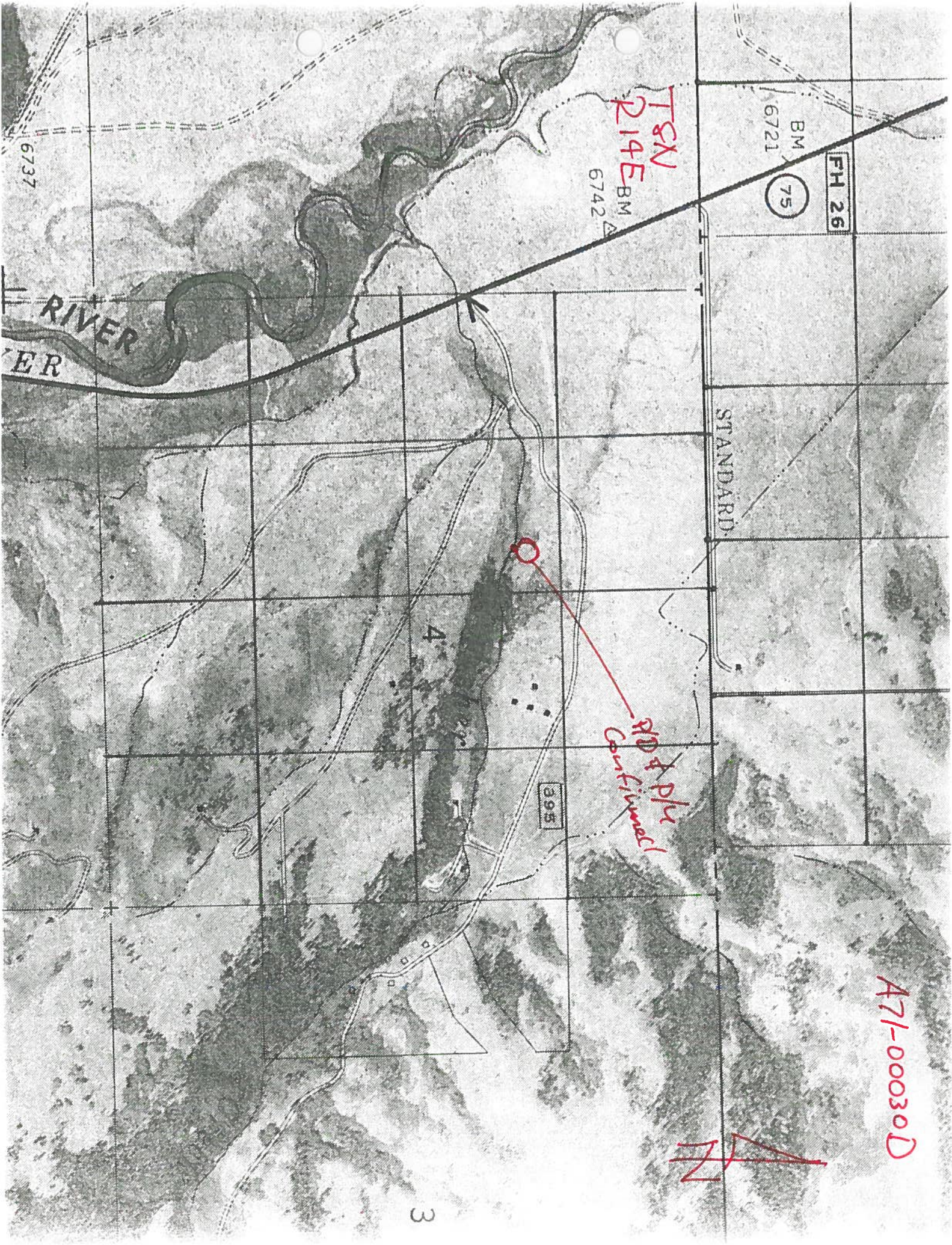
+ - Decree Date - +
00/00/0000

```

+ - - - - - Comments - - - - -
Date: 03/26/1992 User Id: ROBERTSO Subject: ADDRESS CHANGE
ADDRESS CHANGE RECEIVED 3/24/92. A7I-10085 ALSO CHANGED ON THIS DATE. IDNR TO CONTINUE REVIEW.

+ - - Audit Fields - - +
03/04/94 MERRITT

Adjudication Rights Dates and Flags Area			
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000
Claim Received Date	- 11/20/1989	Last Amended Date	- 00/00/0000
		Receipt Number	- S010507
		POU Ownership Flag	- Y
		Name Connector	- AND/OR
		Civil Case Number	- 39576
		Old Case Number	-
		Old Judicial District	-
		Temporary Right	- P
		Water District	-
		Federal/State Indicator	- S
		Presumption Flag	-
		Notice of Error Flag	-



TSN
214E

BM
6721
(75)

FH 26

BM
6742

RIVER
ER

STANDARD

4

395

RD & P/L
Continental

A71-00030D

17

BM 6721 (75)

BM
6742

37

**Sawtooth Valley
Work Center**

6815

CLAIM _____ INIT _____
T. R. S. Q/Q

P/D _____

PHOTO V-70

DT. & ID.

Fourth of July

209

IDAHO DEPARTMENT OF WATER RESOURCES
LOTUS FORM - SPLIT

FOR RIGHT NO: 71-00030

BY: ADM
DATE: 04-Mar-94

CREATED ON 2-1-94
BY ADM & KKC
MODIFIED DATE

BASE RATE: 1.40 CFS

OWNER	CLAIMED RATE	ACRES FOUND	FIRST SHARE OF BASE RATE	POTENTIAL SHARE OF BASE RATE	FIRST CUT	2ND ACRE ITERATION	2ND SHARE ITERATION	POTENTIAL SHARE OF REMAINING	SECOND CUT	PRELIM RATE SUMMARY	RATE PER ACRE
BRADY	0.07	0	4.7%	0.066						0.066	0.012
WO-HE-LO	0.16	5.5	93.8%	1.314		5.5	93.8%	0.066	0.066	1.314	0.012
STONE	1.40	109.5	1.5%	0.020		109.5	1.5%	0.020	0.020	0.020	0.012
COOK	0.10	1.7				1.7				0.020	
=====											
SUMS	1.73	116.7	100.0%	1.400	0.000	116.7	100.0%	1.400	1.400	1.400	
=====											
FIRST ITERATION BALANCE											
NOT ALLOCATED ==> 1.400 CFS											

TOTAL POTENTIAL
ALLOCATED RATE
BEFORE HUBBLE ==> 1.400 CFS

BALANCE NOT
ALLOCATED ==> -0.000 CFS

Domestic

H-HOOK RANCH

Fred C. Humphreys

RECEIVED

September 29, 1993

OCT 04 1993

Mr. Allen D. Merritt, P.E., Water Rights Supervisor
Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region Office

Dear Mr. Merritt:

Thank you for the information regarding the waters of Fisher Creek and Fourth of July Creek. I shall address the questions it raises in the order they appear in your letter.

First is the request of Fern Estes and her allegation that she had been without water all year because of the headgate's being locked. You and I examined these headgates on your inspection trip earlier this year and they were not locked then and have not been locked for at least three or four years since the padlocks were broken and never replaced. I have been up there four other times this summer. I have not - nor to the best of my knowledge, my irrigator - placed any locks on these dams. Water may have been shut off by my irrigator, Mr. Bitton's irrigator, or someone else; but I have a standing order with my irrigator to leave a flow down the old creek bed. He doesn't have a telephone, so I haven't discussed it with him since receiving your letter.

Listed in your claims file for Fisher Creek water were two filings of J. Robb Brady that I do not understand since to the best of my knowledge he owns no property on Fisher Creek. I also do not understand the split right and renumbered claim that shows up on the Fisher Creek water.

I readily concur that there are and have been a number of related problems with the distribution and management of Fisher Creek water, and placement of measuring devices would help in controlling the water. Since most of the problems seem to arise from the people who have an interest in the 25 percent of the water, it would be my suggestion that they form a ditch company that would be responsible for the distribution of that water; and inasmuch as most of those rights belong on the Stone filings and those in the subdivision, they could control that themselves.

Your observation as to a flooding is correct, but determining who was a party to this is next to impossible. Putting in new headgates that could be locked either open or closed by the ditchmaster for the Wo-He-Lo Subdivision would entail his being charged with this responsibility.

To date none of the parties on either Fisher Creek water or Fourth of July Creek water have contributed or offered to help cover any of the cost on either one of the two streams except Mr. Brady on the Fourth of July Creek water, and myself. Mr. Furey was helpful.

H-HOOK RANCH

Fred C. Humphreys

-2-

September 29, 1993

The map reprint you enclosed was not legible enough for me to determine all the information that was available on it.

I am enclosing a memorandum which pretty well describes my experience of my 27 years in the area.

I am sorry I was not available when your letter arrived so that I could have come up to go over this in person.

Best wishes.

Yours very truly,



Fred C. Humphreys

Enclosure.

1b

RECEIVED

OCT 04 1993

MEMORANDUM

Department of Water Resources
Southern Region Office

On August 20, 1966, Mr. Fred C. Humphreys and Mr. Ernest E. Day purchased approximately 375 acres from Mr. Jack Furey. The water rights on this property were three quarters of the water coming down Fisher Creek.

Subsequently Mr. Humphreys and Mr. Day, along with six other individuals, purchased 100 acres to the south of this property, which was then plotted into lots, and the road which was constructed into the property was turned over to Custer County. The property was thereafter referred to as the White Cloud Subdivision No. 1.

This property was all irrigated from Fourth of July Creek. The surplus water from Fourth of July Creek ran down the north side of a ridge to supplement the Fisher Creek water for use on the ground not owned by Humphreys - approximately 180 acres under McVey filing. There was no subdivision nor Scenic Easement property at the time. This ground was subdivided and a good share of it sold prior to the ERA being enacted into law.

The Fourth of July Creek water was necessary to irrigate that property along Fisher Creek not owned by Humphreys. The Forest Service raised objection to this open channeling of water down the hillside to this property; and since Humphreys was leasing the 150 acres from Furey and had use for the Fourth of July Creek water, he found the location of an old ditch facilitating transfer of the water from the Fourth of July Creek ditch to the Fisher Creek water and used it on the Furey property.

When the ground along Fisher Creek was subdivided, individuals built dwellings in the flood plain of Fisher Creek. To give better control of the Fisher Creek water, Humphreys constructed and put in diversion dams to divert the flow of the spring runoff water, or to the major user - 150 acres of the Furey property. Controlling the water was made difficult when dwellings were built along Fisher Creek as there was worriment every spring about high water going down the historic channel of Fisher Creek, with the threat of flooding these dwellings. Some people owning these dwellings took to blocking the creek off and letting the water go along the irrigation channel to my property, which washed out some of the irrigation ditches on that property and eroded the entry road on my property.

After this had happened for a number of years, Humphreys put padlocks on these diversions to let the spring runoff go down the historic channel of Fisher Creek. These padlocks were broken and the diversion points consistently tampered with and a certain amount of damage inflicted on them, until Humphreys contacted the Sheriff's Department at Challis and a deputy was sent up who talked to the people having dwellings along the creek. This stopped most of the interference with the water flow, but there is still a problem of people changing the diversion of water during the spring that and during the irrigation season.

Humphreys had continued to allow more than the allocated Fisher Creek water go past his take-out point so they could use the water for whatever.

For the 1993 season, the Stones, who now own the large plot of ground, leased it to the owner of a residence on Fisher Creek.

Considering all these problems for the demands of these many users of Fisher Creek water, the answer appears to lie in their forming a ditch company and having a take-out point that supplies all the users of the one quarter of the Fisher Creek water, and putting in the appropriate weirs so an accurate measurement and control can be maintained, and give up the dependence on the Fourth of July Creek water, despite the fact that there are probably more claims on Fisher Creek than the creek can supply.

To the best of my knowledge, there are no filings by the Fisher Creek users for the Fourth of July Creek water other than my filing on the Fourth of July Creek water to supplement the Fisher Creek water, even though historically this is not true.

There are a number of filings on this water, some of them being new owners since the Humphreys-Day filing was made on the surplus water for the 80 acres, which could be abandoned. This filing could be abandoned because of the change of ownership of the Furey property, and Humphreys receives only modest benefit from this source - i.e., your inspection this spring.

The 100 acres that was irrigated from Fisher Creek - which is now White Cloud Subdivision No. 1 - was never used for irrigation, and the ditches were all unmaintained, resulting in erosion down the steep face that was the western boundary of this property. Since there were water rights on the 100 acres, filing was made to beneficially use this water either on the Stone place or my place.

Since then the lady who bought the surplus property and the last subdivided lot on the property is entitled to the water, but the uncontrolled use of this water could still lead to erosion. The six small property owners on the brink of the hill - Mr. Day and I and four other owners of less than two acres each of this hill frontage property - have little interest in the water for irrigation. They will, however, have an interest in any erosion which transpires.



Fred C. Humphreys

September 29, 1993.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

14-Sep-1993 10:59

Fred Humphreys
1919 S Phillipi
Boise, ID 83705

Larry Stone
PO Box 1300
Sun Valley, ID 83353

Wo-He-Lo Subdivision
% Jeff Bitton
HC 64 Box 9951
Stanley, ID 83278

George Cook
1241 Camino Lorado
San Marcos, CA 92069-7106

Dear Fisher Creek Waterusers:

I am writing this letter at the request of Fern Estes of Burley Idaho who is a homeowner in the Wo-He-Lo Subdivision. Fern has contacted our office since she alledges that the subdivision has been without water all year and that the headgate has been locked preventing them from taking water. I have also discovered other related problems with distribution and management of flood waters which have a bearing on the general discontent with the management of the water in the area. Since I am conducting the field review of the Adjudication claims that have been filed for the water rights in the Sawtooth Valley and have reviewed in the field the diversions from Fisher Creek I would like to convey the information thus far gathered to aid in cooperation between the parties involved.

All parties listed above have filed claims in the SRBA for diversion of Fisher Creek water. The Humphreys claims stem from the rights decreed to Marjorie Shaw (71-00028 and 71-00029). The other parties claims stem from those decreed to McVey (71-00030 and 71-00031). Additionally Humphreys claims water from 4th of July Creek under an unrecorded transfer of water off of the White Cloud Subdivision and Stone is going to amend his claim A37-00037 (originally decreed to McVey from 4th of July Creek) to that of 4th of July Creek. Note that these later rights are diverted from 4th of July Creek and then conveyed to Fisher Creek and then re-diverted from Fisher Creek.

The enclosed printout summerizes the amounts decreed, the priorities and the amounts being claimed. At present my review is not fully complete as to all aspects of all the claims involved however I do expect to recommend that Humphreys will retain all of 71-00028 and 71-00029 and the other parties will share in one way or another of 71-00030, 71-00031 and 71-00037. As to the extent of this sharing I am not certain and I am also not certain as to the extent of Humphreys claim on water from 4th of July Creek. I will finalize my recommendations for these claims this fall and you will be able to review these recommendations at the time of the notice of error procedure this winter.

PAGE 2

At present there does not exist measuring devices at any of the points of diversion nor at the point of injection of 4th of July Creek water into Fisher Creek. This makes regulation of the water very difficult.

Regarding the reported problem with delivery of water to the Wo-He-Lo Subdivision I conclude that all listed parties above have a valid interest in the use of Fisher Creek with equal priority during low flows (less than 8.6 cfs) and nobody has the authority to lock a headgate shut unless authorized by IDWR or a duly elected watermaster. Based on my assumption that only 71-00028, 71-00029, 71-00030, and 71-00031 are deliverable during low flows and discounting 4th of July water then Humphreys should get 75% of the water and the other parties should share 25% of the water. If all parties choose to rotate the water then Humphreys should get all the water 75% of the time and the other parties should share all the water 25% of the time. Note that this is subject to IDWR's final recommendation and subsequent court decree. If problems with delivery persist the final remedy is to establish a watermaster district and then you as waterusers would elect and compensate a watermaster to regulate the rights according to the decree in affect. Additionally measuring devices at the all points of diversion and points of injection would need to be installed by the waterusers.

Regarding the problem of flooding during the winter or spring it is my understanding that the Humphreys-Stone headgate has in the past been opened to alleviate flooding down the Fisher Creek channel. This action in itself has caused flood damage down this ditch and to protect from this happening Mr. Humphreys has at times locked his headgate shut. My only comment about this sort of problem is that anyone who would divert flood waters into a ditch without the full knowledge and consent of the owner would be fully responsible for the damage it may cause to the property along the ditch. It is my understanding that the natural Fisher Creek channel is that which flows west along the base of the bluff and crosses the highway just south of the Fisher Creek road and would be the natural channel inwhich flood waters would normally flow.

I have not yet had the opportunity to meet will all parties, however, I have been able to review in the field the diversion points, ect. If any party wished to meet with me I will be in the area again next week so please contact me at my office to schedule such a meeting.

Sincerely,



Allen D. Merritt, P.E.
Water Rights Supervisor

Claimed O Decreed

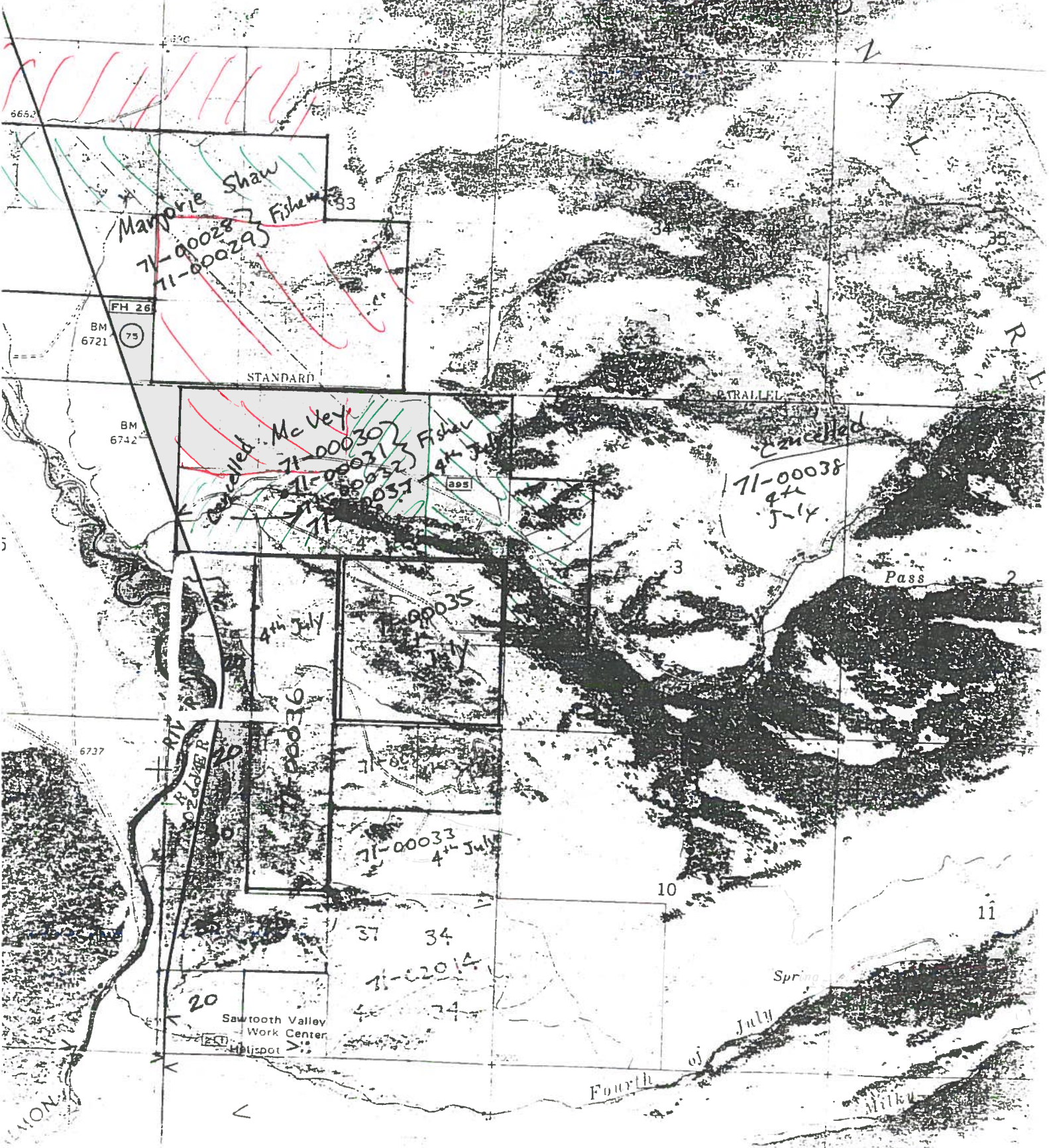
Water Right No.	Name Last, First	W N	Priority Date	Stg/ Sts	Source	Use Code Desc
A71-00028	HUMPHREYS, FRED DAY, ERNEST	C	06/09/1908	D/	FISHER CREEK	01 IRR
		C	4.20			
A71-00029	HUMPHREYS, FRED DAY, ERNEST	C	03/22/1910	D/	FISHER CREEK	01 IRR
		C	2.25			
A71-00030	RENUMBERED CLAIM, SPLIT RIGHT,	C	06/09/1908	/Z	FISHER CREEK	01 IRR
A71-10085	George Cook	C	1.40		RENUMBERED CLAIM SPLIT RIGHT	
A71-00030A	BRADY, J. ROBB	C	06/09/1908	D/	FISHER CREEK	01 IRR
A71-00030B	WO-HE-LO SUBDIVISION	C	06/09/1908	D/	FISHER CREEK	01 IRR
A71-00030C	STONE, RICHARD LARRY	C	06/09/1908	D/	FISHER CREEK	01 IRR
A71-00031	SPLIT RIGHT, RENUMBERED CLAIM,	C	03/22/1910	/Z	FISHER CREEK	01 IRR
		C	0.75		RENUMBERED CLAIM SPLIT RIGHT	
A71-00031A	BRADY, J. ROBB	C	03/22/1910	D/	FISHER CREEK	01 IRR
A71-00031B	STONE, RICHARD LARRY	C	03/22/1910	D/	FISHER CREEK	01 IRR
A71-00033	SPLIT RIGHT,	C	05/21/1918	/Z	FOURTH OF JULY	01 IRR
		C	0.90			
A71-00033A	MITCHELL, MARY J. MITCHELL, JAMES B.	C	05/21/1918	D/	FOURTH OF JULY	01 IRR
A71-00033B	HUMPHREYS, FRED DAY, ERNEST	C	05/21/1918	D/	FOURTH OF JULY	01 IRR
A71-00033C	STAHL TRUST, SHARLENE	C	05/21/1918	D/	FOURTH OF JULY	01 IRR
A71-00033D	LAUDER, WINSTON LAUDER, JOANNE	C	05/21/1918	D/	FOURTH OF JULY	04 STOCK 43 DOMEST
A71-00034	SPLIT RIGHT,	C	02/27/1919	/Z	FOURTH OF JULY	01 IRR
		C	1.50		SPLIT RIGHT	
A71-00034A	OSBORN, ALMA MARIE	C	02/27/1919	D/	FOURTH OF JULY	01 IRR
A71-00034B	STANFORD, CHARLOTTE	C	02/27/1919	D/	FOURTH OF JULY	01 IRR
A71-00034C	HUMPHREYS, FRED DAY, ERNEST	C	02/27/1919	D/	FOURTH OF JULY	01 IRR
A71-00034D	BRADY, J. ROBB	C	02/27/1919	D/	FOURTH OF JULY	01 IRR
A71-00034E	STAHL TRUST, SHARLENE	C	02/27/1919	D/	FOURTH OF JULY	01 IRR
A71-00035	SPLIT RIGHT,	C	04/19/1919	/Z	FOURTH OF JULY	01 IRR
		C	3.00		SPLIT RIGHT RENUMBERED CLAIM	
A71-00035A	BRADY, J. ROBB	C	04/19/1919	D/	FOURTH OF JULY	01 IRR
A71-00035B	STAHL TRUST, SHARLENE	C	04/19/1919	D/	FOURTH OF JULY	01 IRR
A71-00035C	HUMPHREYS, FRED DAY, ERNEST	C	04/19/1919	D/	FOURTH OF JULY	01 IRR
A71-00036	SPLIT RIGHT,	C	07/11/1922	/Z	FOURTH OF JULY	01 IRR
		C	2.40		SPLIT RIGHT	
A71-00036A	FUREY, JACK B. RECINE, JR., LOUIS F.	C	07/11/1922	D/	FOURTH OF JULY	01 IRR
A71-00036B	HUMPHREYS, FRED DAY, ERNEST	C	07/11/1922	D/	FOURTH OF JULY	01 IRR
A71-00036C	BRADY, J. ROBB	C	07/11/1922	D/	FOURTH OF JULY	01 IRR
A71-00037	RENUMBERED CLAIM, SPLIT RIGHT,	C	04/19/1919	/Z	FISHER CREEK	01 IRR
		C	1.60		RENUMBERED CLAIM	
A71-00037			04/19/1919	/Z	SPLIT RIGHT	
A71-00037A	BRADY, J. ROBB	C	04/19/1919	D/	FOURTH OF JULY	01 IRR
A71-00037B	STONE, RICHARD LARRY	C	04/19/1919	D/	FISHER CREEK	01 IRR
A71-00038	BRADY, J. ROBB	C	01/30/1939	D/	FOURTH OF JULY	01 IRR



Disallow

BSIDIAN

CLAIM	INIT
T. ☐	S. ☐ Q/Q ☐
P/D	
PHOTO	V-70
DT.&ID.	



Cook
cabin



Fitzpatrick

View from hillside looking north

A71-00030D
Cook
9/8/93
AD~



View from the
road looking
south



Possible location
of portable pump
installation.

LAST: COOK
ADDRESS: 1241 CAMINO LORADO
CITY: SAN MARCOS
PHONE NUMBER: 619-672-3816
OWNER CODE: C
FIRST: GEORGE E.
STATE: CA ZIP: 920697106

FIRST: ESTELLE A.
ADDRESS: 1241 CAMINO LORADO
CITY: SAN MARCOS
PHONE NUMBER: 619-672-3816
STATE: CA ZIP: 920697106

OWNER CODE: C
FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM
DATABASE FIELD EXAMINER
N

A. AJ CLAIM: # A71-10085 PRIORITY DATE: 06-09-1908 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) Y

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:

REVIEWED BY DATE

A. CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTRY
A71-10085	08N	14E	4	NE	SE	NW		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD	WR RECORDS IN SAME 40 ACRE TRACT
A PREFIX	
R PREFIX	
NONE	NONE

SOURCE: FISHER CREEK

TRIB: MIDDLE FK., SALMON RIVER.

B. WE POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIP: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

FIELD	EXAMINER
DOE TO POD DISCREPANCY? (Y/N)	Y
DOE TO SOURCE DISCREPANCY? (Y/N)	Y

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: TWP. KG. SEC.	1/4	1/4	1/4	LOT	COUNTY

A. ROOT WATER RIGHT NUMBERS: A71-10085
K71-10085

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
03N	14E	4	NW	SE		COOK, GEORGE E.	A71-10085	7			29.0
			NW	SE		BRADY, J. ROBB	A71-00036C	/32.0		/	
			NW	SE		BRADY, J. ROBB	A71-00038	/32.0		/	
			NW	SE		BRADY, J. ROBB	A71-04000	/32.0		/	
			NW	SE		COOK, GEORGE E.	K71-10085	/		/	
			NW	SE		BRADY, J. ROBB	A71-00030A	/32.0		/	
			NW	SE		BRADY, J. ROBB	A71-00031A	/32.0		/	
			NW	SE		FOSTER, KENT W.	A71-00034D	/32.0		/	
			NW	SE		FOSTER, KENT W.	A71-00035A	/32.0		/	
			NW	SE		BRADY, J. ROBB	A71-00037A	/32.0		/	
			NW	SE		MC VEY, GEYER M.	71-00035	/		/	
03N	14E	4	NW	SE		COOK, GEORGE E.	A71-10085	7			29.0
			NW	SE		BRADY, J. ROBB	A71-00036C	/32.0		/	
			NW	SE		BRADY, J. ROBB	A71-00038	/32.0		/	
			NW	SE		BRADY, J. ROBB	A71-04000	/32.0		/	
			NW	SE		COOK, GEORGE E.	K71-10085	/		/	
			NW	SE		BRADY, J. ROBB	A71-00030A	/32.0		/	
			NW	SE		BRADY, J. ROBB	A71-00031A	/32.0		/	
			NW	SE		FOSTER, KENT W.	A71-00034D	/32.0		/	
			NW	SE		FOSTER, KENT W.	A71-00035A	/32.0		/	
			NW	SE		BRADY, J. ROBB	A71-00037A	/32.0		/	
			NW	SE		MC VEY, GEYER M.	71-00035	/		/	

TOTAL ACRES A71-10085 4.00 58.00

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()
IF YES SEE ATTACHED SHEET:

FIELD EXAM REQUIRED? FIELD EXAMINER POU COUNTY: CUSTER
DUE TO POU DISCREPANCY? (Y/N) Y

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

A. AJ CLAIMED USES:

PURPOSES
A71-10085 AESTHETIC
A71-10085 IRRIGATION

MONTH/DAY
FROM 01-01 TO 12-31
FROM 04-15 TO 10-15

DIVERSION QUANTITY
.020 CFS
.080 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.100 CFS

B. WR RECORDED USES:

PURPOSES

MONTH/DAY

DIVERSION QUANTITY

C. SUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE EXAMINER
Y
Y
Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()

Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.100 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED? FIELD DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y -----

MEASUREMENT METHOD -----, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A71-10085	FISHER CREEK	COOK, GEORGE E.	0.100	0.025		
A71-00030A	FISHER CREEK	BRADY, J. ROBB	0.070			
A71-00031A	FISHER CREEK	BRADY, J. ROBB	0.040			
A71-00034D	FOURTH OF JULY CREEK	FOSTER, KENT W.	0.100	0.012		
A71-00035A	FOURTH OF JULY CREEK	FOSTER, KENT W.	2.200			
A71-00036C	FOURTH OF JULY CREEK	BRADY, J. ROBB	0.800	0.004		
A71-00037A	FOURTH OF JULY CREEK	BRADY, J. ROBB	0.080			
A71-00038	FOURTH OF JULY CREEK	BRADY, J. ROBB	3.900	0.021		
A71-04000	UNNAMED SPRINGS	BRADY, J. ROBB	1.000	0.005		
K71-10085	FISHER CREEK	COOK, GEORGE E.	0.100	0.025		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
K71-10085	AESTHETIC	COOK, GEORGE E.	FROM 01-01 TO 12-31	.020 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES ----- X 0.02 CFS/ACRE = CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILLED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 40.0 AE/A

ACRES ----- X CONSUMPTIVE VOL. AE/A FOR AREA ----- =

TOTAL CONSUMPTIVE USE ----- AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES ----- X DIVERSION VOL. AE/A FOR AREA ----- =

TOTAL DIVERSION VOLUME ----- AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO

REC. DIV
RATE CES

REC. DIV
VOL. AE/A

REC. CONS.
USE

DATABASE EXAMINER

DATEASE EXAMINER

DATABASE EXAMINER

TOTAL FOR THIS RIGHT

REVIEWED BY:

LATE

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	()	()
FORFEIT/ABANDON	()	()
ADDITIONAL DIV. AMOUNT	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-10085

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A71-10085	0.100	R71-10085	0.100	-	-
TOTAL CFS		0.100	0.100			

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

REMARKS:

AUTHENTICATION:
SIGNATURE: _____ DATE: _____
NAME OF FIELD EXAMINER: _____ TITLE: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

06:40:31
05/28/92
CLAIM NUMBER: A71-10085

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS								

VERIFIED BY CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAFP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

