10/31/2008

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-73C

NAME AND ADDRESS: JUDIT COLE
2451 HWY 95
COUNCIL ID 83612

KARL G COLE
2451 HWY 95
COUNCIL ID 83612

SOURCE: WEISER RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.059 CFS

PRIORITY DATE: 05/01/1906

POINT OF DIVERSION:

T17N R01W S4 SWNENE Lot 1 Within ADAMS County

T17N R01W S23 SWNE Injection Within ADAMS County

T17N R01W S23 SENW Rediversion Within ADAMS County

Water diverted under this right is exchanged by injecting water diverted under this right into Fort Hall Creek at the point of injection described above, and diverting an equal amount from Fort Hall Creek at the point of rediversion described above.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.059 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T17N R01W S23	SENW	5.50	T17N R01W S23	NESW	0.20

5.7 ACRES TOTAL

Right Nos. 67-73C and 67-74C are limited to the irrigation of a combined total of 5.7 acres in a single irrigation season.

This right is limited to the irrigation of 4.8 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Idaho Department of Water Resources

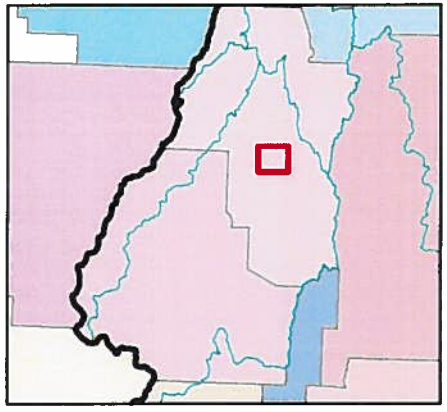
SRBA Recommendation

67-73C

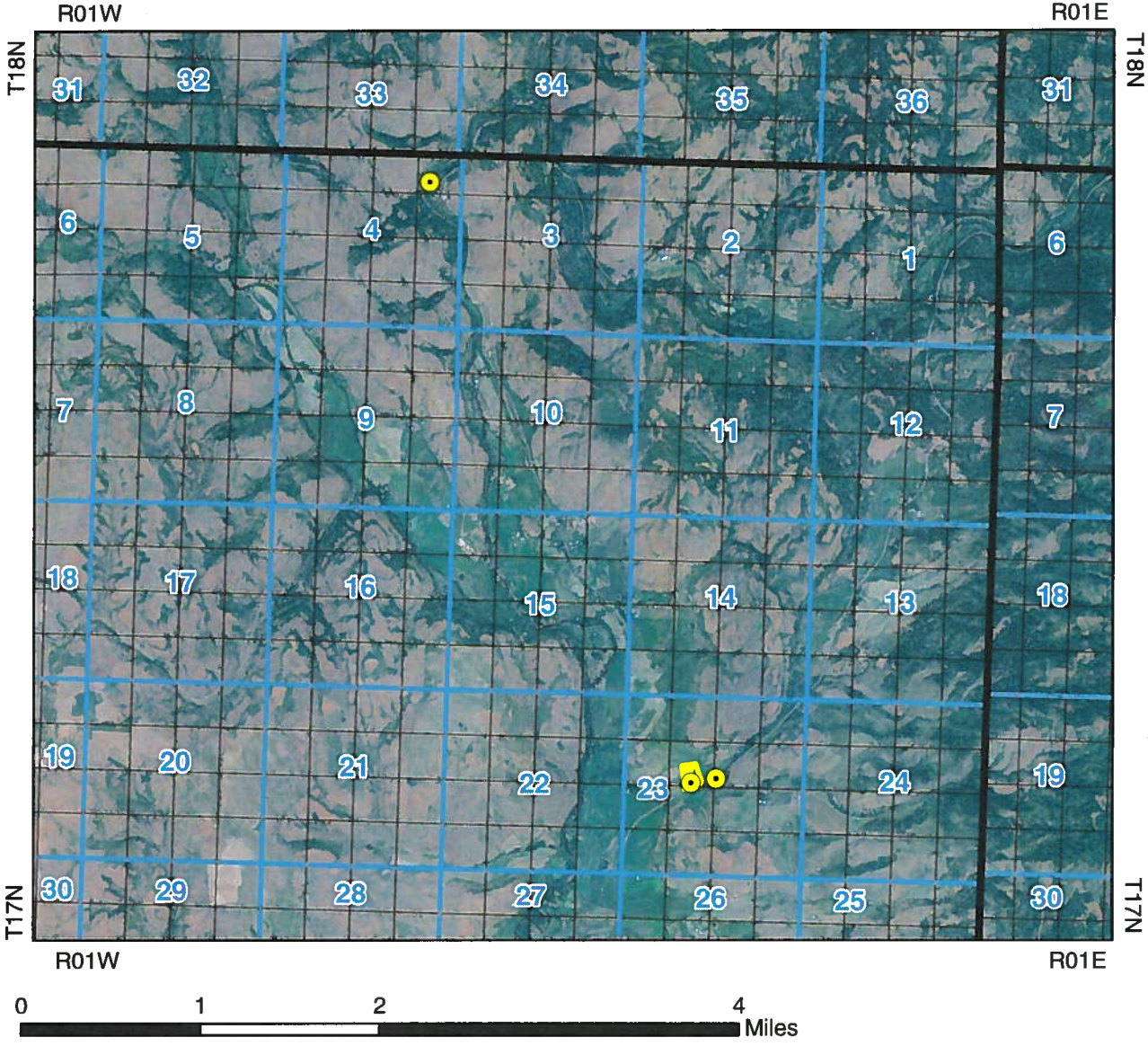
(IRRIGATION)

Legend

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



Adams County
IDWR Basin 67



Prepared by Craig Saxton
On October 31, 2008
2004 Aerial Photography

67-73C

Conversation Memorandum

Date: 3-27-07

To: File 67-73C and file 67-74C
Cc: Karl (Jeff) Cole

RE: Conversation with Karl (Jeff) Cole regarding Point of Re-diversion

On Monday 3-26-07 I spoke with Karl (Jeff) Cole at the Lost Valley Reservoir shareholders meeting. Jeff asked if I had added a point of re-diversion on his property where the Weiser River water under 67-73C and 67-74C is re-diverted out of Ft. Hall Creek and pumped to the south side of his property. Jeff told me we had discussed this at the NOE public meeting. I told Jeff I would have to go back to the office and look at the file.

On Tuesday 3-27-07 I pulled files 67-73C and 67-74C. I did not recommend a point of injection or point of re-diversion for the above mentioned water rights. However, I did find in the file the documentation Mr. Cole sent supporting the historical existence of the POD he was requesting.

I called Mr. Cole and told him that at this time he would need to file an objection but I felt I had enough evidence to support adding the POD. The evidence submitted does not give a date to definitively show that the point of re-diversion was in place prior to 1987, however, the air photos support irrigation of the south side of the river in 1987, then it is reasonable that the POD was in place at that time.

I am sending Mr. Cole a copy of the objection form.

Conversation Memorandum

Date: 3-27-07

To: File 67-73C and file 67-74C
Cc: Karl (Jeff) Cole

RE: Conversation with Karl (Jeff) Cole regarding Point of Re-diversion

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I am sending Mr. Cole a copy of the objection form.

RECEIVED
NOV 22 2006
DEPARTMENT OF
WATER RESOURCES

11/14/2006

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-73C

JUDIT COLE
2451 HWY 95
COUNCIL ID 83612

KARL G COLE
2451 HWY 95
COUNCIL ID 83612

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:

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

DATE: 11/20/06 **SIGNATURE:** Judit Cole

Please print your name: Judit Cole

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
NOV 27 2006

10/27/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-73C

NAME AND ADDRESS: JUDIT COLE
2451 HWY 95
COUNCIL ID 83612

KARL G COLE
2451 HWY 95
COUNCIL ID 83612

SOURCE: WEISER RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.059 CFS

PRIORITY DATE: 05/01/1906

POINT OF DIVERSION:

T17N R01W S4 SWNENE Lot 1 Within ADAMS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.059 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R01W S23	SENW	5.50	T17N R01W S23	NESW	0.20

5.7 ACRES TOTAL

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This right is limited to the irrigation of 4.8 acres within the place of use described above in a single irrigation season.

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

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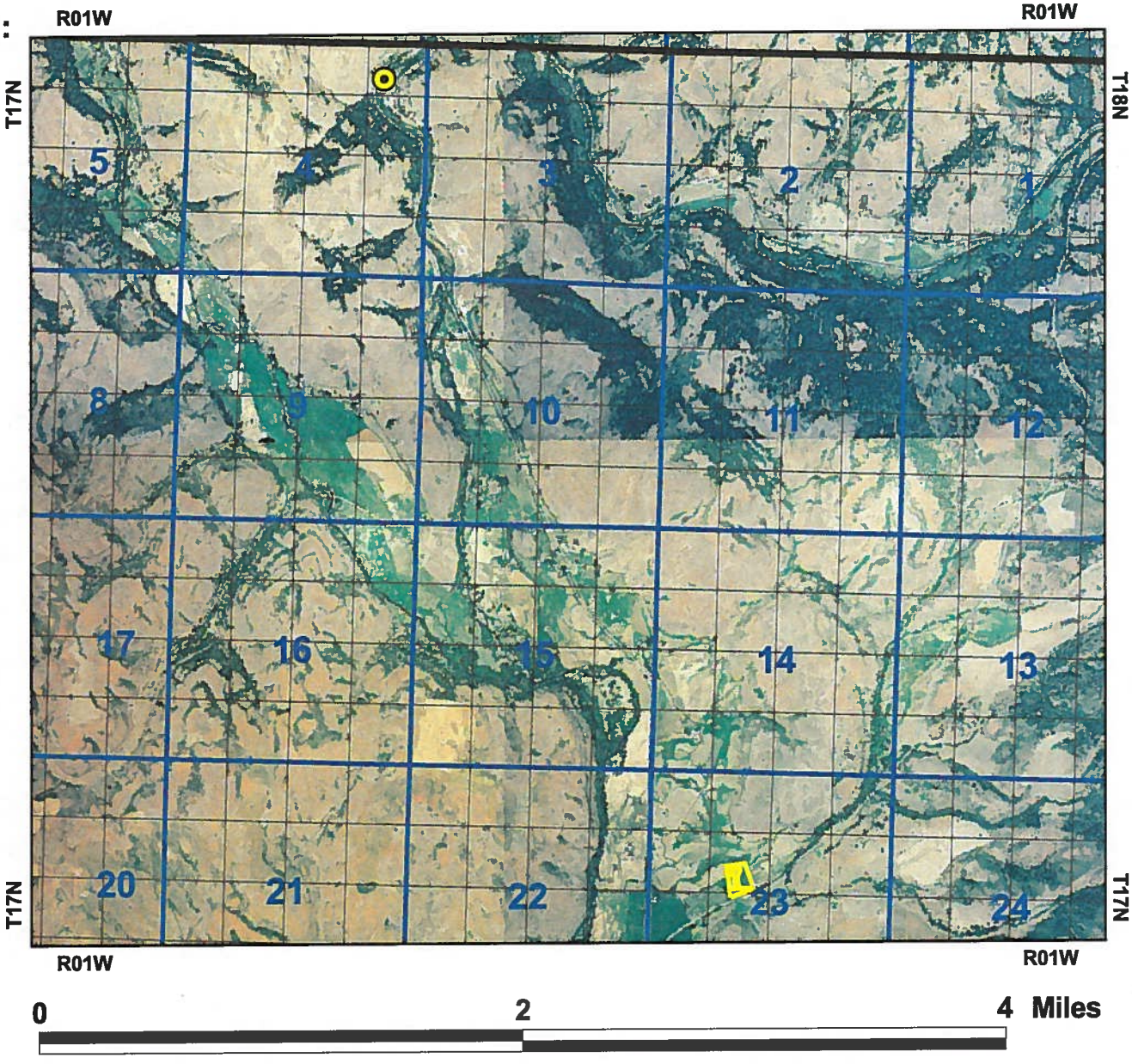
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

SRBA Recommendation:

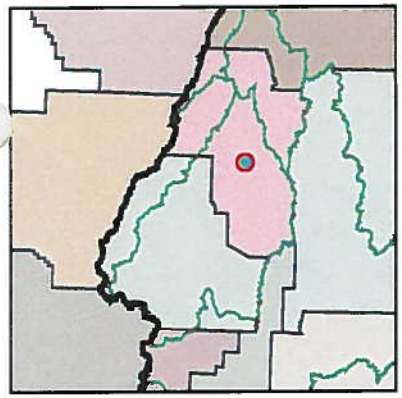
67-73C

(Irrigation)



Legend

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



Adams County
IDWR Basin 67

N

Prepared by C. Saxton
On Friday, October 27, 2006
1987/88 Aerial Photography

N
67-73C
NESW
SENW
23

Split history for Decreed Right 67-00073

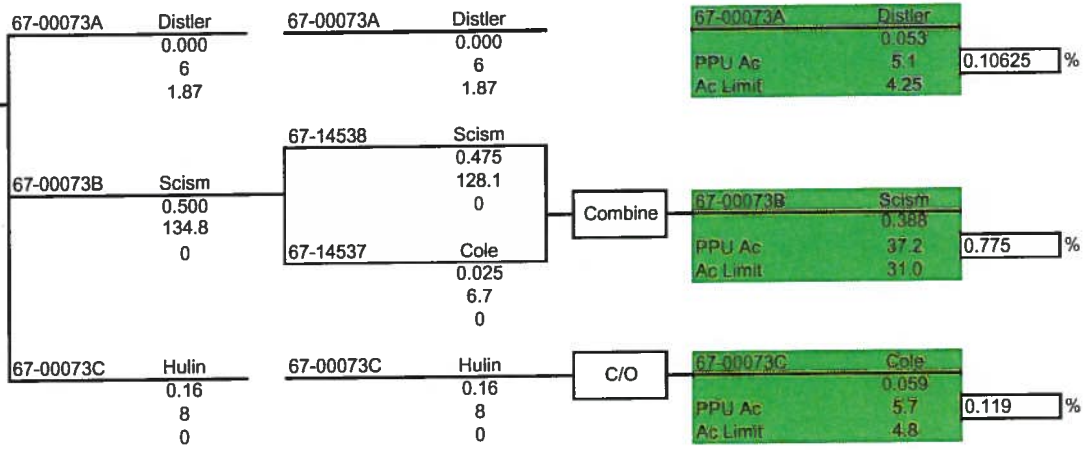
WR History

67-00073	G. T. Hamill
0.5	cfs
48	ac
0	af

Claim History

67-00073	G. T. Hamill
0.5	
40	
0	

Recommendation



Acrage calculated at 5/8 in per acre as decreed.
The Decreed POU seems to be in claimed POU

***Last updated 10-27-06 (csaxton)**
For digital copy of Excel spreadsheet file: See Craig L. Saxton

Sum CFS =	0.660
Sum Acre=	148.8
Sum AF =	1.87

Extra CFS =	-0.160
Extra Acre =	-108.8
Extra AFA =	-1.87

Sum CFS =	0.500	1.000
Sum PPU Ac=	48	
Sum Ac Limit=	40.0	

Extra CFS =	0.000
Extra PPU Ac =	0
Extra Ac Limit =	0.0

Page #	Parcel Number	Name	New Charge 2005	w Cha 2003	Water i Inches	File #	Original Owner	Priority Date	Source
26	7N01W23	SCISM, DC	$ 20.00	####	25	73	HAMILL	5/1/06	Robertson Se