

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: April 30, 1997

PAGE: 1

RIGHT NUMBER: 72-10105

NAME AND ADDRESS: MYLES COLE
171 BLUE LAKES BLVD S
HOOVER'S TRAILER PARK
TWIN FALLS ID 83301DALE COLE
PO BOX 511
CHALLIS ID 83226

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY-DATE: 12/31/1983

POINT OF DIVERSION T13N R18E S10 NWSE Within CUSTER County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CUSTER County
T13N R18E S10 NWSE

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 - BENEFICIAL USE
PARCEL NO. RP13N18E107820ARECEIVED
JUN 09 1998
Department of Water Resources
Southern Section



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

April 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

72-10105
MYLES COLE
171 BLUE LAKES BLVD S
HOOVER'S TRAILER PARK
TWIN FALLS ID 83301

RE: Recommended Water Rights Acquired Under State Law
Snake River Basin Adjudication (SRBA)
Domestic and/or Stockwater Rights in Reporting Area 4, Basins 71 and 72

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basins 71 or 72 (the Upper Salmon River Drainage Basin). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in basins 71 and 72 will be recommended in a later process.

Note that you have 120 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the Custer County courthouse in Challis, the Blaine County courthouse in Hailey, and all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed later this year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karl J. Dreher', written over a horizontal line.

Karl J. Dreher
Director

Enclosures

FEB-26-1997
0021

1

RIGHT NUMBER:

72-10105

NAME AND ADDRESS:

MYLES COLE
171 BLUE LAKES BLVD S
HOOVER'S TRAILER PARK
TWIN FALLS ID 83301

SOURCE:

GROUNDWATER

QUANTITY:

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GALLONS PER DAY.

PRIORITY DATE:

12/31/1983

POINT OF DIVERSION:

T13N R18E S10

NWSE

Within CUSTER County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC
T13N R18E S10

Within CUSTER County
NWSE

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 - BENEFICIAL USE
PARCEL NO. RP13N18E107820A

FEB-26-1997
0020

RIGHT NUMBER:

72-10105

NAME AND ADDRESS:

MYLES COLE
171 BLUE LAKES BLVD S
HOOVER'S TRAILER PARK
TWIN FALLS ID 83301

DALE COLE
PO BOX 511
CHALLIS ID 83226

SOURCE:

GROUNDWATER

QUANTITY:

0.04 CFS

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

PRIORITY DATE:

12/31/1983

POINT OF DIVERSION:

T13N R18E S10

NWSE

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC
T13N R18E S10

Within CUSTER County

NWSE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
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BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP13N18E107820A



DATE: 01/17/97
PAGE: 25

DIVERSION RATE

USE PERIOD	DIVERSION
FROM TO	RATE
01-01 12-31	0.04 CFS

TOTAL DIVERSION: 0.04 CFS

Stage: BENEFICIAL USE

CUSTER COUNTY

33

ESSE ESSE

C Lt Ac Lt Ac :

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Objection Filed Date:

AJ5809NP
No. R72-10105

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/17/97
PAGE: 26

Comments: Date: 01/14/1997 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 06/28/93 SMITH 03/30/95 POST-STD 01/14/97 DS1-PROD

24 APRIL 1996

MEMORANDUM TO THE FILE(S): A72-10105, A72-10106, & 72-07539

FROM: GEORGIA SATTERLEE

ON 23 APRIL 1996, MARK COLE CAME INTO THE OFFICE WITH A LETTER OF PROTEST. COLE'S APPLICATION FOR PERMIT, #72-07539, PRIORITY DATE 09-27-1995, IS PENDING. DAN GUERRERO, PERMIT #72-07509, PRIORITY DATE 02-13-1993, IS PROTESTING COLE'S APPLICATION FOR PERMIT. MR. GUERRERO'S PROTEST IS THAT HE HOLDS A WATER RIGHT WITH AN EARLIER PRIORITY DATE.

MARK COLE WANTED TO KNOW IF THE CLAIMS A72-10105 AND A72-10106 WITH A PRIORITY DATE OF 12-31-1983 COULD BE USED IN THIS SITUATION INSTEAD OF THE APPLICATION FOR PERMIT THAT IS BEING PROTESTED.

AS OF AUGUST 1991, THE APPLICATION FOR PERMIT 72-07277 (UNDER THE NAME OF BARBARA FENNE/METZ/GARCIA) LAPSED BECAUSE THE "PROOF OF BENEFICIAL USE" AND "EXTENSION FOR TIME" WERE NOT COMPLETED. THE ABOVE ADJUDICATION CLAIM NUMBERS ARE BASED ON THE LAPSED PERMIT.

IN 1989, THE COLES' PURCHASED THE PROPERTY FROM BARBARA FENNE/METZ/GARCIA. SHE DISCLOSED THE STATUS OF THE APPLICATION FOR PERMIT TO THE BUYERS. MARK, MYLES, &/OR DALE COLE, NEVER PURSUED AND CONCLUDED THE APPLICATION FOR PERMIT. HOWEVER, THE ABOVE CLAIMS A72-10105 AND A72-10106 ARE BASED ON THE PERMIT NUMBER THAT LAPSED.

AFTER REVIEWING THE ABOVE ITEMS, GEORGIA SATTERLEE AND FRANK HITCHCOCK SAID THAT OTHER CLAIMANTS HAVE GOTTEN AN AFFIDAVIT FROM THE PREVIOUS USER STATING THERE WAS BENEFICIAL USE TO SAID PROPERTY. KELLY CHRISTIANSEN HAS WORKED, IN THE PAST, WITH BOTH THE COLES' AND MR. GUERRERO. KELLY HAS BEEN UPDATED ON THE DISCUSSION AND A COPY OF THIS MEMO WILL BE PUT INTO EACH OF THE DESIGNATED FILES.

IN THE MATTER PROTESTED, IF THE PROTEST IS NOT RESOLVED VOLUNTARILY, IDWR WILL CONDUCT A HEARING ON THE MATTER, ACCORDING TO I.C. 42-203A.

DEC 03 1996

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: A72-10105
Date Received: 11/27/1989
Receipt No: S010538
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALE COLE
Address: P.O. BOX 511
CHALLIS, ID 83226
OR
Name: MYLES COLE 208-733-5226
Address: 171 BLUE LAKES BLVD. S.
HOOVER'S TRAILER PARK
TWIN FALLS, ID 83301

2. Date of Priority: DEC 31, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	18E	10	NW	SE			CUSTER

5. Description of diverting works:
8" X 100' WELL, 40' LIFT, WITH PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	18E	10	NW	SE		DOMEST	

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:
UN NAMED SPRING NEARBY - #A72-10106

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): *X Dale Cole* Date: *11-27-89*

Date: _____

State of Idaho)
County of *Twin Falls.*) SS.

Subscribed and sworn (or affirmed) before me this *27th* day
of *November* 19*89*

Robert V. Starstell
Notary Public

Seal

Residing at *Twin Falls, Idaho*

My Commission Expires *January 16, 1995*

A72-10105

Page 2

Date: 11/27/89

MICROFILMED

MAR 19 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098



NOT DELIVERABLE AS ADDRESSED

IMPORTANT WATER RIGHT INFORMATION

Q

JUN 09 1998

PRESORTED
FIRST CLASS



RECEIVED

MAY 6 - 1997

Department of Water Resources

WATER RIGHT NUMBER - A72-10105

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - +	- - - - -	LAST NAME	- - - - -	+ - - - -	+ - FIRST NAME	- - - - -	+ - - - -	- - - - -	ADDRESS	- - - - -	+ - - - -	- - - - -
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*** C - CURRENT OWNER ***
COLE

DALE

1 - P.O. BOX 511

STATE- ID ZIP- 83226

MYLES

STATE- ID ZIP- 83301

[illegible]

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+ - - - - - SOURCE - - - - - +
- - - - - GROUNDWATER
+ - - - - - TRIBUTARY - - - - - +

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TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	STREAM INDEX (BLANK IF NO INDEX CODE)
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(37) CUSTER

[illegible]

43 - DOMESTIC

01/01 12/31

0.040

[illegible][illegible]

43 DOMESTIC

(37) CUSTER

+ - - DIVERSION MEANS - 8" X 100' WELL, 40' LIFT, WITH PUMP.

+ - - NON-IRRIGATION USE - D/1 HOUSE.

+ - - OTHER RIGHTS FOR SAME USE - UN NAMED SPRING NEARBY - #A72-10106

	REMARKS	
	NO REMARKS FOUND.	

NO OLD WATER RIGHT NUMBERS FOUND.

NO CONDITIONS OF APPROVAL FOUND.

MICROFILMED

NOV 0 1991

