

09/01/2004

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

RIGHT NUMBER: 25-12A

NAME AND ADDRESS: ARLENE B COOPER
6185 E RIRIE HWY
IDAHO FALLS ID 83401

WAYNE C COOPER
6185 E RIRIE HWY
IDAHO FALLS ID 83401

SOURCE: WILLOW CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.600 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1884

POINT OF DIVERSION:

T03N R39E S20 SWSWNE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.600 CFS
STOCKWATER	04/01 10/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R39E S19	SWNE	0.7	T03N R39E S19	SENE	0.5
T03N R39E S19	NESE	28.0	T03N R39E S19	NWSE	24.0
T03N R39E S20	SWNW	1.1	T03N R39E S20	NWSW	5.0

STOCKWATER same as IRRIGATION

59.3 ACRES TOTAL

Use of this right with Right No. 25-194B is limited to the irrigation of a combined total of 59.3 acres in a single irrigation season.

This right is limited to the irrigation of 30 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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Decreed

PROFIL
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SEP 22 2004

09/01/2004

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

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

Use of this right is combined with water from Enterprize Canal Co. and Progressive Irrigation Dist.

Water is delivered through Roy Cooper (Willow Cr) ditch.

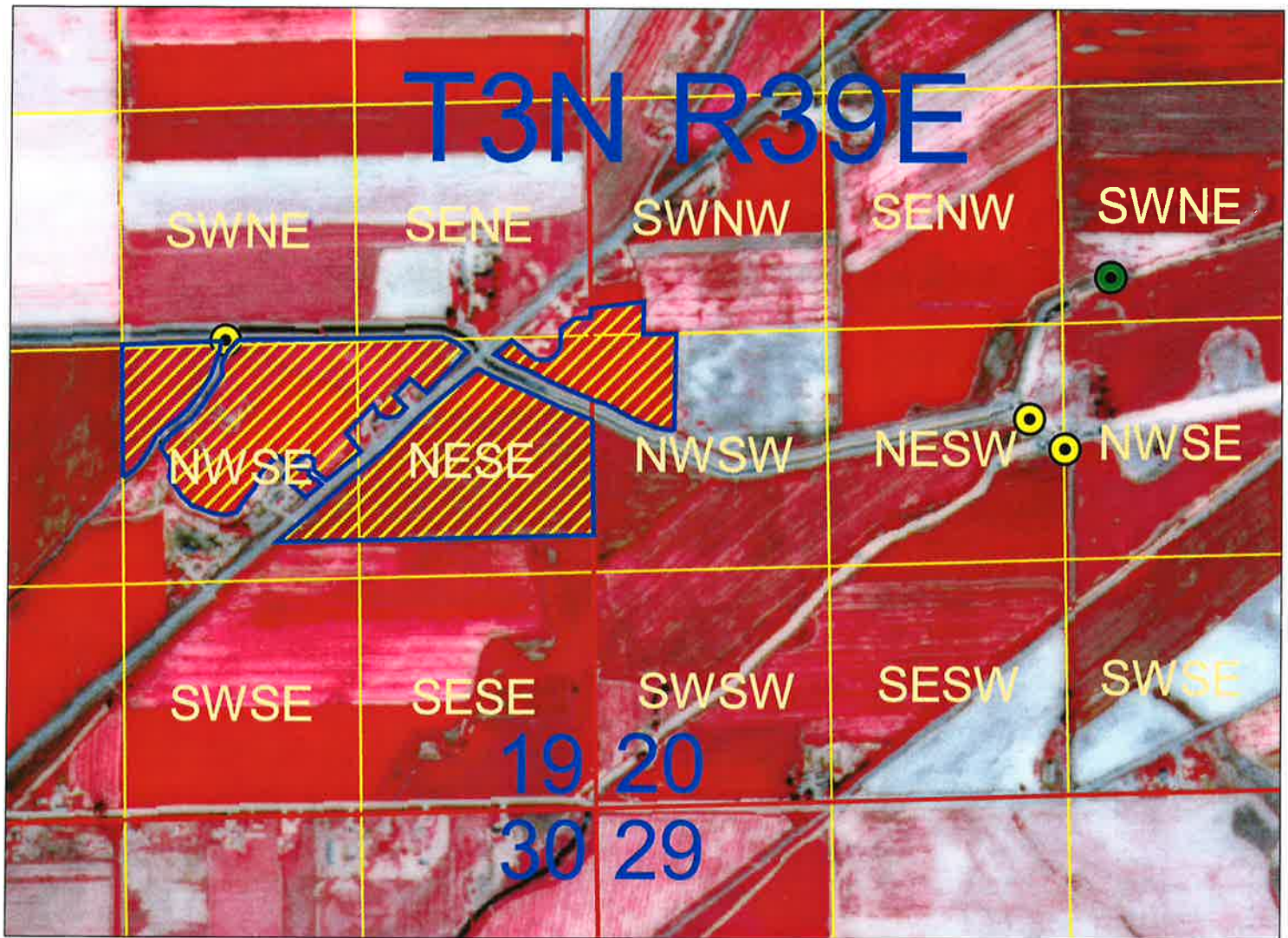
Stockwater use is for 40 range cattle.

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SEP 22 2004
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Department of Water Resources

Claim No.: 25-00012A



0 1320 2640 3960 5280 Feet

-  Place of Use
-  Point of diversion
-  Sections
-  QQ

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SEP 22 2004

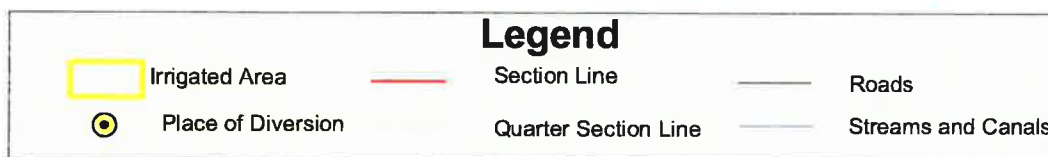
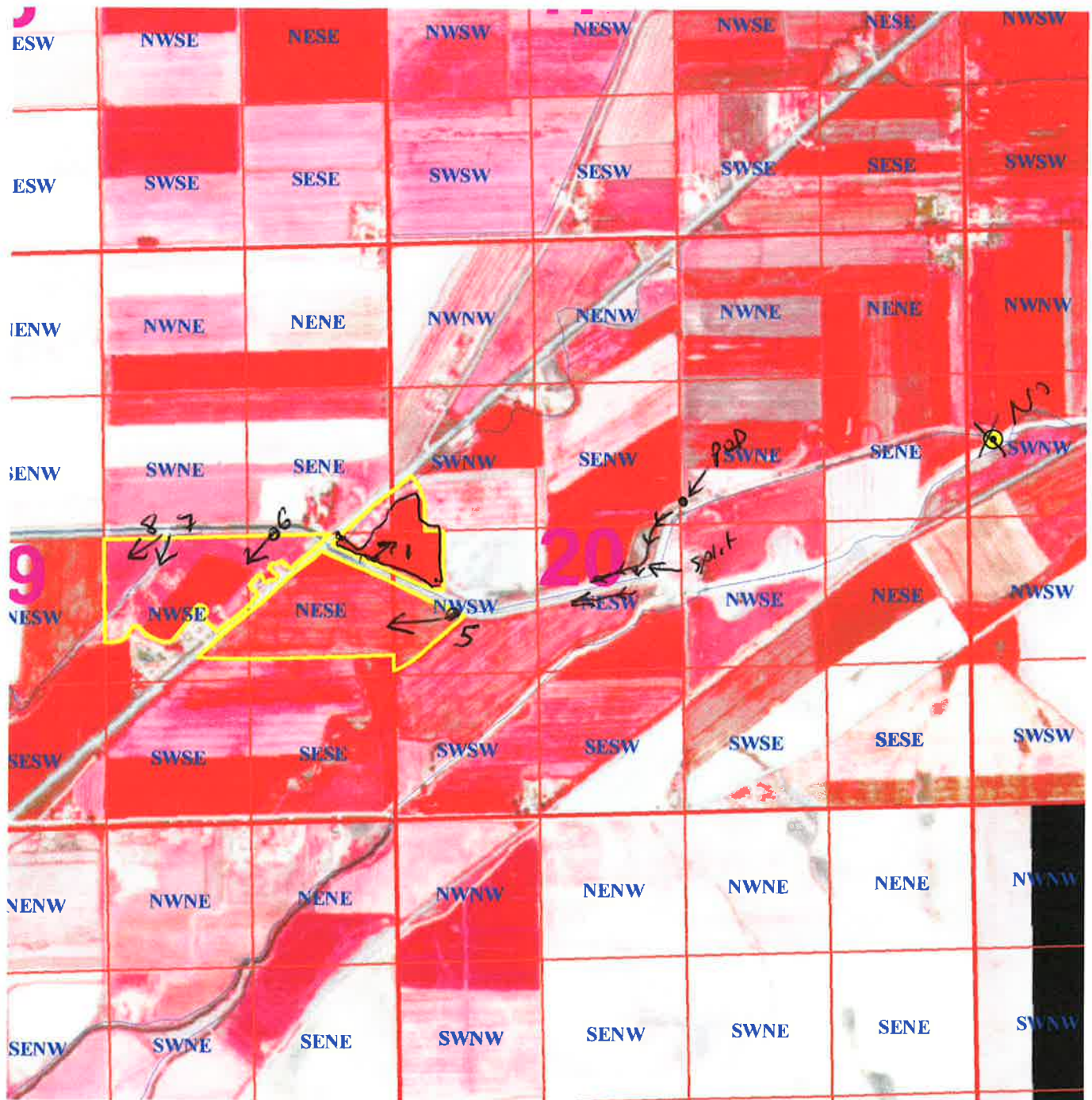
PROFILED



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: September 2004

Water Right Claim Number 25-00012A
Township , 3N39E

11/22/2000



1000 0 1000 2000 3000 Feet

SPATIAL
DYNAMICS

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SEP 22 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 25-12

WATER RIGHT NUMBER: 25-12

Owner Type Name and Address
 Current Owner R W NORTON
 ZZ

WD 1 has been delivering
 3.3 cfs to Prog land

Priority Date: 04/01/1884
 Basis: Decreed
 Status: Active

Source Tributary
 WILLOW CREEK SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	/ to /		
DOMESTIC	/ to /		
IRRIGATION	/ to /	3.700 CFS	
<u>Total Diversion:</u>		3.700 CFS	

Location of Point(s) of Diversion

WILLOW CREEK NE1/4SW1/4 Sec. 20, Twp 03N, Rge 39E, B.M.
 BONNEVILLE County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	38E	2					X	X	X	X									

STOCKWATER same as IRRIGATIONDOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

1. General P/D NOT GIVEN IN DECREE, SOURCE W.D. 01 P/U INCOMPLETE, ACRES IRRIGATED 158

SCANNED

Comments:

SEP 22 2004

Dates and Other Information:

PROFILED

PROFITED

SEP 22 2004

SCANNED

A25-00012A / A25-00194 Summary 10/15/03

1) Ownership: new owner is Val Cooper. A ownership form given to Mrs. Cooper.

2) POD: See overlap, GPS. Logal appears to be 3N 39E to SW SW NE or SESE NW. GPS ~~669, 985 E 277, 041 N~~

~~Waypoint 12A-1~~

670, 171 E 277, 263 N Waypoint 12A-2. Waypoint 12A-1 is splitting box that

Sands water along N side of willow creek

or under syphon to S side of willow creek.

3) Pou: See my sketch on layout. Note A25-00194 has 3N 38E instead of 3N 39E on tabular listing of Pou.

4) Overlap: Enterprise shares. ~~Enterprise~~

5) Photos:

- ① Pou NE of willow creek looking NE
- ② Split measuring device @ 12A-1
- ③ POD 12A-2
- ④ Exit of south side of split syphon
- ⑤ Pou South of willow Cr. looking W.

A25-00012A / A25-00194 Summary p2

- ⑥ Pole NW of highway looking SW
- ⑦ Flume that carries water across Willow Creek to west part of pole, N of highway
- ⑧ Pole NW of highway looking SW.

Byron A. Contor

Water Resources
Field Services
208 663 4667

SCANNED

SEP 22 2004

PROFILE™

A25-60012A Contact log

10/10/03 14:55 523-0399 msg on answering machine

Field Insp 10/13/03 - As one accompanied me

Photos 1) Pole NE of Willow creek looking NE

2) Split & measuring device @ Willow Creek looking N

Source does not appear to be Willow creek

GP 669,985 E 277049 N

Waypoint 12A-1.

South log of split appears to go

under Willow Creek.

3) POD GPS 670,171 E 277,263 N

Waypoint 12A-2

4) Exit of S log & split.

5) Pole south of Willow Cr. looking West

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6) Pole NW of highway looking SW

SEP 22 2004

7) Flame that carries down West a cross

Willow Creek.

8) Pole NW of highway looking SW

PROFITED

After inspection I learned Val Cooper is now owner.

From map & ownership to Mrs. Cooper. She called

Val on phone, he confirmed Endergore overlap.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 25-12

WATER RIGHT NUMBER: 25-12

Owner Type Name and Address

Original Owner R W NORTON

, ZZ

Priority Date: 04/01/1884

Basis:

Status: See Remarks

Source

WILLOW CREEK

Tributary

SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	/ to /		
DOMESTIC	/ to /		
IRRIGATION	/ to /	3.700 CFS	
	<u>Total Diversion:</u>	3.700 CFS	

Location of Point(s) of DiversionWILLOW CREEK
BONNEVILLE County

NE1/4SW1/4

Sec. 20, Twp 03N, Rge 39E, B.M.

Place of UseConditions of Approval:Remarks:

1. General P/D NOT GIVEN IN DECREE, SOURCE W.D. 01 P/U INCOMPLETE, ACRES IRRIGATED 158
***** THIS RIGHT HAS BEEN FILED BY TWO INDIVIDUALS ***** -A25-00012A FILED FOR
.72CFS BY WAYNE/ARLENE COOPER -PROGRESSIVE IRRIGATION DISTRICT HAS FILED
ON A 3.30CFS PORTION OF THE TOTAL RIGHT, SEE A25-13385 -A25-00012B, 1.00 CFS,
ARVEL COOPER.
11-08-90 EMC THE TOTAL RIGHT IS FOR 3.70 CFS.
=====
- A25-00012A 0.72 CFS A25-00012B 1.00 CFS A25-13385 3.30 CFS TOTAL = 5.02 CFS
(25-00012 = 3.70 CFS) * THIS RIGHT IS OVER-CLAIMED. CLF 3-21-91

Comments:Dates and Other Information:

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SEP 22 2004

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Period of Use and Quantity Data Entry Form

Claim Number: _____

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

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/01	11/01	0.72	_____
Stockwater	4/01	11/01	0.02	_____
_____	_____	_____	_____	_____

Overall Diversion Rate 0.72

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

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

89 acres.

Reviewer: _____

Date: _____

Notes

this right is combined w/ WR No 25-194
for a total of 89 acres for a diversion rate
of 4.8 + 0.72 cfs for 5.52 cfs.

* ^{Combined} Diversion rate is way too high for the acres
irrigated.

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

problem on Parcel with respect to R38E vs R39E

Transfers Changing POU _____

Reviewer: _____

Date: _____

AJ5809NP
No. A25-00012A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WAYNE C COOPER	04/01/1884	IRRIGATION	04-01 11-01	0.720 CFS	
C	ARLENE B COOPER		STOCKWATER	04-01 11-01	0.020 CFS	
	6185 E RIRIE HIWAY					
	IDAHO FALLS ID 83401					
	(208) 523-0399					
				TOTAL DIVERSION:	0.720 CFS	
				CONSUMPTIVE USE:		222.50 AFA

Water Source: WILLOW CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03N R39E S21

SWNW

BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
03N	39E	19	:				03	:					:					:	35	32			:		70.0	
03N	39E	20	:					:			06		:			13		:						:	19.0	
																									TOTAL ACRES	89.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: BONNEVILLE

Non-Irrigation Uses: S/40 BEEF CATTLE.

Other Rights: A25-00194

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A25-00012B A25-00194 A25-00194A

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00059 A01-00060 A01-00233 A25-00012B A25-00085 A25-00086 A25-00148 A25-00194A A25-1338821

Remarks: GEN THREE ACRES IN NWSE SEC. 19, T3N, R39E IS LEASED FROM JACK LIVERMORE.

Dates: Exam Made Date: Verified Date: 03/05/1985 Objection Filed Date:

Misc: Water District Number: 01 Field Inspection Flag:
Presumption Flag: C

Audit: 07/20/89 ESRBA 03/29/95 POST-STD

SCANNED

SEP 22 2004

PROFILED

August 18, 2003

Wayne C. or Arlene B. Cooper
6185 E Ririe Hwy
Idaho Falls, ID 83401

Re: Water Right Adjudication Claim(s) A25-00012A, A25-000194

Dear Water User:

Idaho Department of Water Resources (IDWR) is reviewing claims to water rights in the Snake River Basin Adjudication in your area. Water Resources Field Services has been retained to do field inspections to aid the Department in making correct recommendations to the court. In the next weeks and months I will be contacting you to make an appointment to look at your diversion works and uses of water.

The main purpose of this visit is to locate and photograph the headgate(s), ditches, and irrigated lands.

I look forward to helping make sure your water right recommendation is correct. Please contact me if there is a particular time that would be convenient for you. You may call in the evenings, or leave a message on the answering machine.

Sincerely,

Bryce A. Contor

Water Resources
Field Services
208 663 4667

SCANNED

SEP 22 2004

PROFILED

FROM

GEARY *Jim*

DATE

1/6/83

TO FILE

SUBJECT WATER RIGHT 25-0012

Conversation with Jim Steele (Water District 01 Deputy) indicates that water from right 25-0012 has been delivered to J.D. Cooper since 1932. High water records are not kept (this yield no information on 25-0194) but in 1936 25-0012 (port) was split with A.A. Cooper getting $5\frac{1}{2}$ SW. S.A. Cooper getting tract 1 and Jess E Cooper getting tract 2 all descriptions are Section 19 T3N R39E B14. No rate of diversion is listed on the delivery records kept at the Progressive Irrigation Company.

RECORDED

JUN 24 1992

RECEIVED

(This report must be made in duplicate and forwarded to the Department of Reclamation, Boise, Idaho, for approval)

JAN 11 1983
Department of Water Resources
Eastern District Office

WATERMASTER'S REPORT

From July 15 32 To Sept. 30, inclusive 32Water District No. 16Name of Water Master. M. Milton ChristensenP. O. Address. 295 5th St. Idaho Falls, Idaho.

AFFIDAVIT OF WATER MASTER

STATE OF IDAHO,
COUNTY OF Bonneville ss.M. Milton Christensen being first duly sworn, deposes and
says that he is (Deputy) Water Master on Willow River Creek in District 16, having been
Elected by the waterusers on March 7, 1932
lawfully appointed by Commissioner of Reclamation July 12, 1932.that the volumes of water, as stated in this report, pro rated by him to the several users, are correct;
that the sum of \$ 317.00 is due as stated, and that the same is justly due and unpaid.M. Milton Christensen(Deputy) Water Master District No. 16Subscribed and sworn to before me, this 10th day of October, 1932

[SEAL]

Notary Public.

My commission expires
Residing at Idaho Falls, Idaho.

BOISE, IDAHO, ..., 19.....

I HEREBY CERTIFY, That.....

was lawfully appointed by me (Deputy) Water Master of District No....., and that his bill
for services rendered pro rated to the several users as herein sworn to is correct.UNCONFIRMED
JUN 24 1992

Commissioner of Reclamation.

By
Assistant Commissioner.

DITCH	OWNER	DESCRIPTION OF LAND			
		Subdivision	Sec.	Twp.	Rge.
Reid & cleverly	1874 Wm. Reid	SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$	11	3N.	39E
"	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$	11	3N.	39E
"	Frank Cleverly	N $\frac{1}{2}$ SW $\frac{1}{4}$	11	3N.	39E
Edmunds & Lee	1876 Ben Cleverly	N $\frac{1}{2}$ NE $\frac{1}{4}$	15	3N.	39E
"	"	C. J. Egan	10	3N.	39E
Kiefer	H. D. Spencer	SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	21	3N.	39E
"	H. D. Spencer	W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$	20	3N.	39E
"	H. D. Spencer	SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$	21	3N.	39E
Seedall	1880 J. R. Seedall, Est.	SW $\frac{1}{4}$ S. of Willow Cr.	24	3N.	38E
"	Eli T. Simmons	W. 65 A. N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ less 1 A.	26	3N.	38E
"	Eli T. Simmons 1881	N $\frac{1}{2}$ NE $\frac{1}{4}$	26	3N.	38E
Tanner	Glen C. Losch	S $\frac{1}{2}$ SW $\frac{1}{4}$	27	3N.	38E
"	Mrs. Marie L. Colman	N $\frac{1}{2}$ NW $\frac{1}{4}$	34	3N.	38E
Tolley	1881 Buelah Klossner	S $\frac{1}{2}$ SE $\frac{1}{4}$	17	3N.	39E
Edmunds & Lee	1882 O. S. Lee, Sr.	E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ E. of Creek	15	3N.	39E
Magill	1882 Lee S. Robinson	S $\frac{1}{2}$ N $\frac{1}{2}$	26	3N.	38E
"	1884 Lee S. Robinson	N $\frac{1}{2}$ SW $\frac{1}{4}$	26	3N.	38E
Beale	1882 Federal Land Bank	Tract No. 4	5	2N.	38E
Lundberg	1882 G. H. Johnson	SW $\frac{1}{4}$ SW $\frac{1}{4}$	6	2N.	38E
"	1882 James Laird	Lots 1 and 2 N. of City Canal	12	2N.	37E
Belot	1882 H. D. Spencer	SE $\frac{1}{4}$ SW $\frac{1}{4}$	6	2N.	37E
"	1882 G. C. Benham	N. 30 A. of Lot 1	7	2N.	38E
"	1882 Adam Smith	S. 10 A. of Lot 1	7	2N.	38E
"	1882 M. N. Marshall	Lot 2	7	2N.	38E
Seedall	1883 Clarence J. Ritchie	W. 50 A. of N. 110 A. of NW $\frac{1}{4}$	25	3N.	38E
Payne	1883 Mrs. J. A. Muir	N $\frac{1}{2}$ SE $\frac{1}{4}$	33	3N.	38E
"	1883 Nancy Lingenfelter, Est.	S $\frac{1}{2}$ SE $\frac{1}{4}$	33	3N.	38E
Bauman	1883 W. C. Melrotto	N $\frac{1}{2}$ NE $\frac{1}{4}$ N. of Willow Cr.	33	3N.	38E
"	Robertson	Willow Creek	33	3N.	38E
"	1883 Marguerite J.	N 50 A. of S. 120 A. S. of	33	3N.	38E
"	1883 Alice K. Bale	S. 70 A. of NE $\frac{1}{4}$	33	3N.	38E
Hess	1883 E. M. Hitt	N $\frac{1}{2}$ SE $\frac{1}{4}$	32	3N.	38E
"	1883 E. M. Hitt	S $\frac{1}{2}$ SW $\frac{1}{4}$	32	3N.	38E
Haroldsen	1883 Mrs. Annie C. Haroldsen	SW. Cor. S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ less 28 A. in	33	3N.	38E
Rasicot	1883 Geo. A. Haroldsen	Tracts 1, 2 & 3	5	2N.	38E
"	1884 Geo. A. Haroldsen	Tracts 1 & 3	5	2N.	38E
Cooper	1883 A. W. Olson	S $\frac{1}{2}$ SE $\frac{1}{4}$	33	3N.	38E
Contor	1883 Mrs. Leona Contor	W $\frac{1}{2}$ SW $\frac{1}{4}$	14	2N.	38E

RECORDED
JUN 24 1992

DITCH		OWNER	DESCRIPTION OF LAND			
			Subdivision	Sec.	Twp.	Rge.
Buck	1884	James Buck	S $\frac{1}{2}$ E $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$	11 14	3N.	39E
"	1884	Mrs. T. E. Williams	SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$	14	3N.	39E
"	1884	E. H. Williams	S $\frac{1}{2}$ NW $\frac{1}{4}$	14	3N.	39E
"	1884	C. C. Mann	N $\frac{1}{2}$ SE $\frac{1}{4}$	15	3N.	39E
Haskins	1884	H. D. Spencer	(SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$)	20 21	3N.	39E
Tolley	—	Walter V. Hansen	Tract # 1, NW $\frac{1}{4}$ N. of Road	20	3N.	39E
"	1884	F. H. Newman	Tract # 2	20	3N.	39E
Magill	1884	S. A. Hill, Jr.	E $\frac{1}{2}$ SW $\frac{1}{4}$	26	3N.	38E
"	1884	J. Milton Phillips	E $\frac{1}{2}$ SE $\frac{1}{4}$	27	3N.	38E
"	1884	H. F. & A. J. Jensen	E $\frac{1}{2}$ NE $\frac{1}{4}$	34	3N.	38E
"	1884	Frank J. Stevens	W $\frac{1}{2}$ SE $\frac{1}{4}$	27	3N.	38E
"	1884	Reuben Haroldsen	SW $\frac{1}{4}$ NE $\frac{1}{4}$	34	3N.	38E
Hush	1884	E. C. Barnes, Est.	SW $\frac{1}{4}$	32	3N.	38E
Rasicot	1884	Frank L. Rasicot	Tract # 5	5	2N.	38E
"	1884	Herman Gehr	" # 6	5	2N.	38E
Riley	1884	J. C. McDonald	W $\frac{1}{2}$ NW $\frac{1}{4}$	23	2N.	38E
"	1884	Earl Cook	E $\frac{1}{2}$ NW $\frac{1}{4}$	23	2N.	38E
Norton	1884	E. B. Ball	SW $\frac{1}{4}$ NW $\frac{1}{4}$	2	2N.	38E
* Cooper	1884	I. D. Cooper, Est.	SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$	19	3N.	39E
Norton	1884	Martha Norton, Est.	E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ E. of Ditch	3	2N.	38E
"	1884	J. W. Telford	SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ W. of Ditch	3	2N.	38E
"	1884	A. A. Anderson	NE $\frac{1}{4}$	10	2N.	38E
Mulliner	1884	Amelia Mulliner, Est.	SW $\frac{1}{4}$	2	2N.	38E
"	1884	New World Life Ins. Co.	E $\frac{1}{2}$ NW $\frac{1}{4}$	11	2N.	38E
"	1884	New World Life Ins. Co.	W $\frac{1}{2}$ NW $\frac{1}{4}$	11	2N.	38E
Austin	1884	Victor Austin	SE $\frac{1}{4}$ E. of Sand Creek	10	2N.	38E
Sugar Factory	1884	Utah-Idaho Sugar Co.	SW $\frac{1}{4}$, SE $\frac{1}{4}$ W. of Sand Creek	10	2N.	38E
Nelson-Forbes	1884	O. A. Johannesen	E $\frac{1}{2}$ NE $\frac{1}{4}$, E. 3 $\frac{1}{2}$ ds W $\frac{1}{2}$ NE $\frac{1}{4}$	21	2N.	38E
"	1884	W. L. Brewink	W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, W. 20A. E $\frac{1}{2}$ SW $\frac{1}{4}$	21	2N.	38E
"	1884	P. A. George	E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, W. 20A. E $\frac{1}{2}$ NE $\frac{1}{4}$	21	2N.	38E
"	1884	Frank Clark	E. 60 A. of the E $\frac{1}{2}$ SE $\frac{1}{4}$	21	2N.	38E

RECORDED
JUN 24 1992

Name	No. Inches	Dating from
Orville Buck	160	April 1st, 1874.
Frank Cleverly	130	April 1st, 1874.
Caroline Heath	80	April 1st, 1876.
Abel Cleverly	80	April 1st, 1876.
O. S. Lee Sr.	150	April 1st, 1882.
Charles G. Martin	50	April 1st, 1883.
J. Davis Sr.	140	April 1st, 1884.
James Buck	145	April 1st, 1884.
Mrs. Mary C. Mann	80	April 1st, 1884.
S. I. Cox	120	April 1st, 1884.
Edward Cox	50	April 1st, 1885.
L. M. Clifford	50	April 1st, 1885.
Mrs. Christens Forbush	160	April 1st, 1885.
J. A. Senter	140	April 1st, 1885.
J. Davis Jr.	70	April 1st, 1887.
John Peterson	73	April 1st, 1888.
Henry W. Fieffer	160	April 1st, 1888.
H. F. Haskins	140	April 1st, 1888.
H. F. Haskins	70	April 1st, 1884.
Herman Bauman	175	April 1st, 1883.
Bert W. Bruce	80	April 1st, 1883.
Christ Zbindem	80	April 1st, 1883.
Adam Smith	120	April 1st, 1885.
John R. Seedall	160	April 1st, 1880.
A. H. Jackson	154	April 1st, 1881.
John Ritchie	55	April 1st, 1883.
Mary Christina Ritchie) Administratrix of the estate) of Joseph Ritchie,) deceased.	45	April 1st, 1883.
Alfred Rasicot	100	April 1st, 1883.
Alfred Rasicot	100	April 1st, 1884.
Joseph Tolley	70	April 1st, 1884.
Joseph Tolley	70	April 1st, 1885.
Harvey Dahlstrom	25	April 1st, 1885.
J. H. Dahlstrom	25	April 1st, 1885.
Rasmus Nelson	175	April 1st, 1884.
Robert Irwin	40	April 1st, 1882.
Robert Irwin	60	April 1st, 1884.
James Irwin	100	April 1st, 1884.
James Irwin	100	April 1st, 1886.
William Clark	175	April 1st, 1886.
J. H. Robertson	100	April 1st, 1884.
Amanda Anderson, Adminis-) tratrix of the estate of) Martin Anderson, deceased)	120	April 1st, 1886.
J. H. Payne	157	April 1st, 1885.
Hemon Elijah Palmer	45	April 1st, 1882.
John F. Williams	15	April 1st, 1882.

Name	No. Inch.	Name	No. Inch.
018 J. H. Dahlstrom	120	0204 Rasmus Nelson	240
018 Robert Irwin	120	0205 James Irwin	240
018 William Clark	180	0206 J. H. Robertson	120
Amanda Anderson,) Administratrix of the) estate of Martin)			
018 Anderson, Deceased.)	90	0207 J. H. Payne	180
018 Hermon Elijah Palmer	90	0208 John F. Williams	30
018 J. D. Evans	28	0209 Louis Elg. Administra-) tor of the estate of)	
018 Robert Livingstone	120	Jeppa Soelver, deceased)	120
018 J. F. M. Hash	120		
018 Mary L. Holden and W. H.) Holden)	60	0210 Casper Sauer	90
0190 Anna Dick	240		
0191 William H. Price	125	0211 Rhoda Price	55
0191 Henry Catmull	56	0212 Anderson Bros. Bank, a) Corporation.	105
0191 Wallace E. Ramsey	120	0213 Peter J. Lindahl	180
0191 L. D. Cooper	240	0214 Squire G. Crowley	145
0191 Robert Fife	120	0215 Joseph Higham	90
0191 A. W. Busch	60	0216 S. Forbush	90
0191 Charles Longhurst	60	0217 L. N. Mattson	60
0191 James E. Steele	120	0218 A. E. Stanger	90
0191 James El. Steele as Trustee) for the Iona Townsite.)	120	0219 James C. Carter	30
0201 William G. Steele	90	0220 Lovina J. Hansen	60
0201 Frank Herbert	120	0221 W. J. Rushton	60
0201 C. H. Dayton	120	0222 Ole Olsen	120
0201 I. Gudmunsen	30		

5 0223 The Eagle Rock & Willow Creek Water Company, a corporation, 4000
5 0224 The Idaho Canal Company, a corporation, 8000

That the several amounts of water above decreed be measured and distributed to the said parties at their several points of diversion from the natural channels of Sand Creek & Willow Creek and the tributaries thereof, respectively.

That the said waters be measured under the Weir System, in cubic feet per second of time: fifty inches of water as herein decreed being equal to one cubic foot of water per second of time, or one second foot.

That of each of said parties to the suit construct and maintain at their several points of diversion respectively, substantial and uniform boxes, head gates and weirs for the measurement of their said water.

That each and every of the parties to this suit, their agents, attorneys, assigns and grantees, are hereby restrained and perpetually enjoined from in

WILLOW AND SAND CREEKS

25-C

.....

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF IDAHO, IN AND FOR BINGHAM COUNTY.

*summons
copy*

The Eagle Rock and Willow Creek Water Company, a corporation, Hyrum
Frew, Frank W. Beam, Thomas Kerr, and Alick Robbie, Plaintiffs,

-vs-

Henry W. Kiefer, et. al.

Defendants.

D E C R E E

THIS CAUSE was commenced September, 29th 1900, and thereupon summons was duly issued and served upon many of the defendants. A large number of the defendants voluntarily entered their appearance and other persons, not named as parties in the complaint, by consent and by leave of Court, entered their appearance, by counsel, and participated in the trial.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
And no one of said defendants last above named having appeared or answered or demurred within the time allowed by law, and said time for answering and demurring having expired long prior to the hearing of this cause as hereinafter recited, it is adjudged that said parties are each and all in default and it is ordered that their default be duly entered in accordance with law.

After such appearance, it was stipulated by all parties appearing through their respective counsel, and upon such stipulation an order of Court was made, to the effect that all of the testimony in the case might be taken by the judge at chambers at the City of Idaho Falls, in Bingham County, Idaho, commencing March 20th 1901, and containing from time to time under the direction of the Judge of the Court and that the testimony so taken should be the testimony upon which the Court should base its judgment and decree and that judgment and decree should be rendered and entered at the term of said Court set for May 1st 1901.

It was further stipulated that proceedings had in connection with the taking of said testimony at Idaho Falls, should be of the same force and effect as if such proceedings were had while Court was in session and that said judge at chambers should have authority to do all acts incidental to such cause and the taking of said testimony except to make findings of fact and conclusions of law and to render judgment.

It was further stipulated that all demurrers filed in said cause might be overruled and in accordance with said stipulation said demurrers were considered overruled and the issues of fact were deemed to be joined.

It was further stipulated that for the purposes of answer and cross-complaint, the complaint in said cause should be deemed to be unverified and that the same might be answered generally by an unverified answer with the same force and effect as a particularly verified answer would have.

It was further stipulated that the allegations of all cross-complaints should be deemed denied with the same force and effect as if such allegations had been specifically denied.

..... commencement of the taking of testi-

That in the year 1880 and continuously thereafter the said Henry W. Kiefer and his grantors and predecessors in interest were, and have been and this cross complainant now is the owner in the actual possession and entitled to the possession of that certain lot piece or parcel of land lying and being in the county of Bingham and State of Idaho and more particularly described as follows, to-wit:

The North West one quarter of the North West one quarter of Section twenty-one, and the North one half of the North West one quarter and the South West one quarter of the North East one quarter of section twenty, Township three North of Range thirty nine east of Boise Meridian.

H. F. HASKINS:

That in the year 1880, and continuously thereafter, the said H. F. Haskins has been the owner and in the possession and entitled to the possession of that certain lot piece or parcel of land lying and being in the county of Bingham and state of Idaho, and more particularly described as follows to-wit:

The North East Quarter of the North West Quarter of Section twenty-one (21), also the South West Quarter of the North

West Quarter of Section Twenty-one (21), also the South East Quarter of the North East Quarter of Section twenty (20) all in Township Three (3) North of Range Thirty-nine (39) East of Boise Meridian, also the South East Quarter of the North West Quarter of Section twenty-one (21), also the North West Quarter of the South West Quarter Section Twenty-one, also the North East Quarter of the South East Quarter of Section twenty, all in Township Three (3) North Range Thirty-nine (39) East Boise Meridian.

WWW.DELL.COM/S

That in the year 1880 while the owner, in the actual possession and entitled to the possession of said land described in paragraph 6th of this cross complaint said Cross-Complainant H. F. Haskins co-operating with Thomas Hock constructed a dam in Willow Creek and Hash Slough and a ditch heading in the channel of what is known as and called the "Hash Slough" and dug therefrom to and upon said lands and by means thereof diverted from said stream and conveyed upon said land described and said paragraph 6th herein for the purpose of irrigating the same, did, then and there appropriate of the waters of said Willow Creek then and there flowing in said Hash Slough, two hundred inches of said Willow Creek Water measured under a four inch pressure.

That said water so appropriated as aforesaid to the amount of two hundred inches, and carried off through said ditch that heads in said Hash Slough was appropriated for the purpose of irrigating the following described pieces and parcels of land, laying in the county of Bingham and state of Idaho, and more particularly described as follows, to-wit:

The North East Quarter of North West Quarter of Section twenty-one; and all that portion of the South West Quarter of the North West Quarter of Section twenty-one that lays on the north side of Sand Creek; Also all of the South East Quarter of the

Water Rights

WILLOW CREEK AND SAND CREEK REPORT

OWNER	DESCRIPTION OF LAND SUBDIVISION	Sec.	Twp.
H. C. Frew Rt. 2, Idaho Falls, Idaho	S $\frac{1}{2}$ NE $\frac{1}{4}$	32	3N
Byron C. Telford 1198 Canal Ave Idaho Falls, Idaho	SW $\frac{1}{4}$ less Highway	32	3N
Herbert Jensen Rt. 1, Idaho Falls, Idaho	E $\frac{1}{2}$ NE $\frac{1}{4}$	34	3N
Ancel Haroldsen Rt. 2, Idaho Falls, Idaho	SW $\frac{1}{4}$ NE $\frac{1}{4}$	34	3N
Dearold J. Ferguson Star Rt., Idaho Falls, Idaho	S $\frac{1}{2}$ SE $\frac{1}{4}$	11	3N
Wallace Reed Star Rt., Idaho Falls, Idaho	S $\frac{1}{2}$ NW $\frac{1}{4}$ S. of R.R. and SW $\frac{1}{4}$ NE $\frac{1}{4}$	14	3N
Carl E. McGord Star Rt., Idaho Falls, Idaho	NW $\frac{1}{4}$ N. of Willow Creek	14	3N
Wallace Reed, et ux Star Rt., Idaho Falls, Idaho	Part of NW $\frac{1}{4}$ lying N. of R.R. & S. of Willow Creek	14	3N
John Sperry Buck School Idaho Falls, Idaho	SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ S. of canal	15	3N
Arvel G. Cooper Rt. 1, Idaho Falls, Idaho	S $\frac{1}{2}$ SW $\frac{1}{4}$ N. & W. of Highway	19	3N
Lenore S. Cooper Rt. 1, Idaho Falls, Idaho	Tract #2 less 2.84 A. Highway	19	3N
Wayne C. Cooper Rt. 1, Idaho Falls, Idaho	Tract 1 less 1 A, 1 B, 1 C, and Highway	19	3N
Alvin Campbell Rt. 1, Idaho Falls, Idaho	Tract 2 less 6.35 A. Highway	20	3N
George W. Robison Rt. 1, Idaho Falls, Idaho	S $\frac{1}{2}$ NE $\frac{1}{4}$ E. of Slough less 6 $\frac{1}{2}$ A. in NW corner	16	3N
Ray S. Robison Rt. 1, Idaho Falls	S $\frac{1}{2}$ NW $\frac{1}{4}$	26	3N

CUT OFF 1884 RIGHT JULY 20, 1968, RESTORED on AUGUST 15, 1968 to

George Haroldsen Rt. 2, Idaho Falls, Idaho	Tract 1, 2, 3, 11	5	2N
Keith Contor Rt. 1, Idaho Falls, Idaho	S $\frac{1}{2}$ less 9.47 acres in SE corner SW $\frac{1}{4}$ SW $\frac{1}{4}$ less mobile home estates	14	2N
Oral Curtis 4 59 S. Fisher Ave Blackfoot, Idaho	S $\frac{1}{2}$ SE $\frac{1}{4}$	24	3N

PO

SCANNED

JUL 25 2001

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: A25-00012A
Date Received: 7/20/1989
Receipt No: E009537
Received By: DM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE C. COOPER 208-523-0399
Address: 6185 E. RIRIE HIWAY
IDAHO FALLS, ID 83401

OR

Name: ARLENE B. COOPER 208-523-0399
Address: 6185 E. RIRIE HIWAY
IDAHO FALLS, ID 83401

2. Date of Priority: APR 01, 1884

3. Source: WILLOW CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	39E	21	SW	NW			BONNEVILLE

5. Description of diverting works:
HEADGATES TO DITCHES TO P/U FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.720		
STOCKWATER	04/01	11/01	0.020		

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

8. Total consumptive use is 222.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/40 BEEF CATTLE.

A25-00012A

Page 1

Date: 07/20/89

MICROFILMED

NOV 06 1994

A2500012A



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	39E	19	SE	NE		IRR	3.0
			NE	SE		IRR	35.0
			NW	SE		IRR	32.0
						Section Acres	70.0
		20	SW	NW		IRR	6.0
			NW	SW		IRR	13.0
						Section Acres	19.0
						Total Acres	89.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
A25-00194

14. Remarks:
THREE ACRES IN NWSE SEC. 19, T3N, R39E IS LEASED FROM JACK LIVERMORE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

EAGLE ROCK WATER CO, ET AL
Decree Plaintiff

vs HENRY KIEFER, ET AL
Decree 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 _____ 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): Wayne C. Cooper Date: 7-20-89
_____ Date: _____

State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 20 day

of July 19 89

[Signature]
Notary Public

Seal.

Residing at IDAHO Falls

My Commission Expires 9-12-94

A25-00012A

