

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 25-14123
NAME AND ADDRESS: CLYDE A COOK
PO BOX 566
RIRIE ID 83443

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.520 CFS
1,072.000 AFY

Use of the rights listed below is limited to a total combined annual diversion volume of 962.5 af. Combined Right Nos.: 25-2116A, and 25-14123.

Use of the rights listed below is limited to a total combined annual diversion volume of 1085 af. Combined Right Nos.: 25-2105B, 25-2116A, 25-2124B and 25-14123.

PRIORITY DATE: 03/22/1973

POINT OF DIVERSION:

T03N R40E S11 NESWNE Within BONNEVILLE County

T03N R40E S12 NWSWNW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	2.520 CFS 1,072.00 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R40E S11	NENE	27.0	T03N R40E S11	NWNE	31.0
T03N R40E S11	SWNE	40.0	T03N R40E S11	SENE	40.0
T03N R40E S11	NENW	33.0	T03N R40E S12	NWNW	22.0
T03N R40E S12	SWNW	40.0	T03N R40E S12	NWSW	40.0
T03N R40E S12	SWSW	31.0	T03N R40E S12	SESW	6.0

310 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 275 acres in a single irrigation season. Combined Right Nos.: 25-2116A, and 25-14123.

Use of the rights listed below is limited to the irrigation of a combined total of 310 acres in a single irrigation season. Combined Right Nos.: 25-2105B, 25-2116A, 25-2124B and 25-14123.

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: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

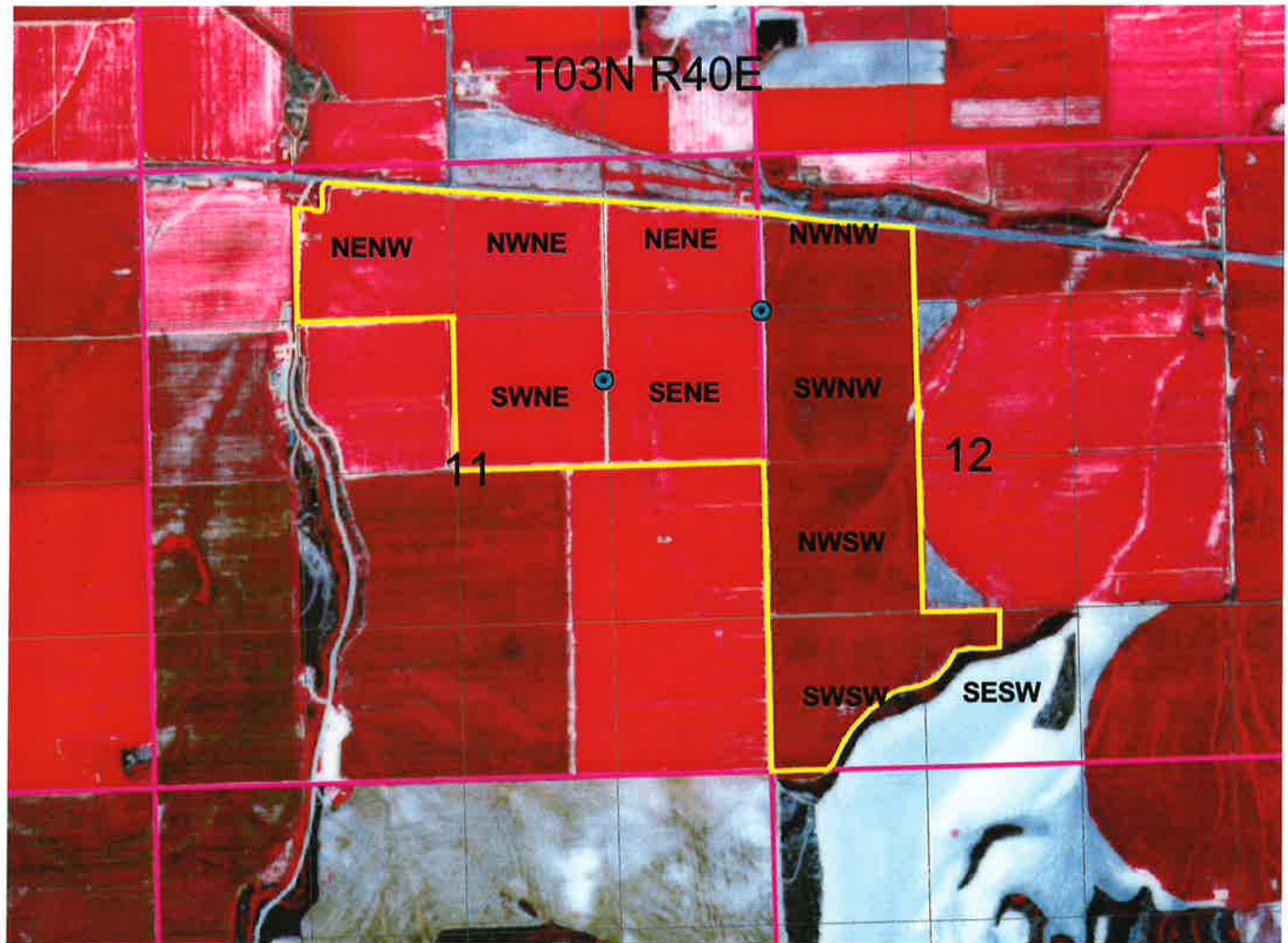
This right is a split from former right 25-7032A.

Water Right 25-14123

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OCT 20 2004

DEPARTMENT OF WATER RESOURCES

Claim No.: 25-2105B, 25-2116A
25-2124B, 25-14123



0 1320 2640 3960 5280 6600 Feet

-  Well.shp
-  Place of use.shp
-  Township/Range
-  Sections
-  QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: E. Carlsen
Date: October 2004

PROFILED

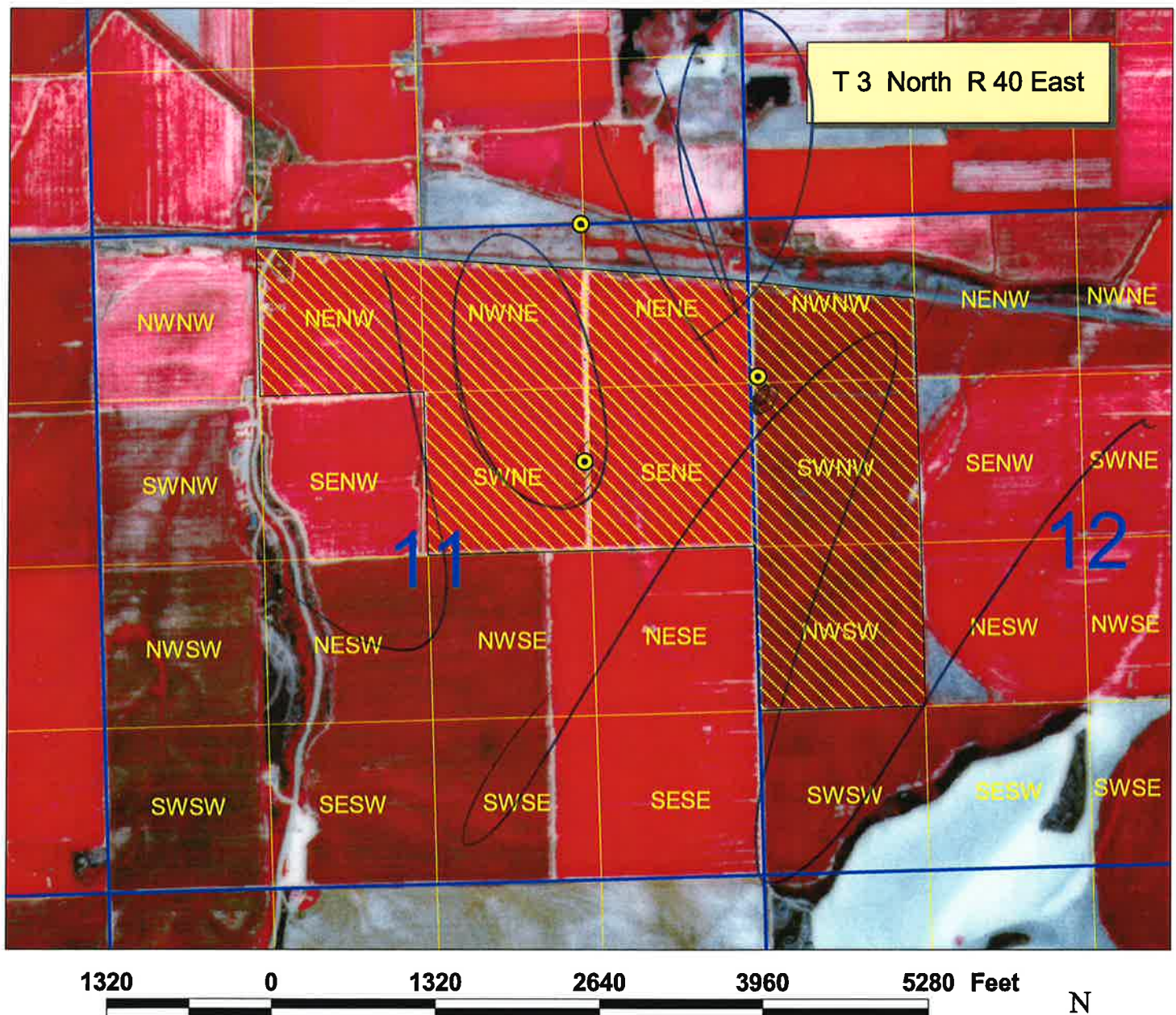


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 25-14123



- Point of Diversion
- ▨ Place of Use
- ▭ Sections
- ▭ QQ

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GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: September 2004

10/13/2004

MH

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: November 22, 2004

Water right number: 25-14123

CLYDE A COOK

PO BOX 566

RIRIE ID 83443

Telephone Number: (208)538-7215

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: _____ SIGNATURE: Bel Foster

Please print your name: _____

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

Cof D rec'd 12/8
Cook ->
Foster Co

RECEIVED

DEC 08 2004

Department of Water Resources
Eastern Region

SCANNED

DEC 22 2004

PROFILED

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 25-14123 V1

WATER RIGHT NUMBER: 25-14123 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FOSTER CO PO BOX 308 RIGBY, ID 83442-0308 (208)538-5170

Priority Date: 03/22/1973

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01	11/01	2.520 CFS	1,072.00 AF
	<u>Total Diversion:</u>		2.520 CFS	1,072.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4NW1/4	Sec. 12, Twp 03N, Rge 40E, B.M.
BONNEVILLE County		
GROUND WATER	NE1/4SW1/4NE1/4	Sec. 11, Twp 03N, Rge 40E, 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	
03N	40E	11	27.0	31.0	40.0	40.0	33.0												171.0
03N	40E	12					22.0	40.0			40.0	31.0	6.0						139.0

Total Acres: 310

Conditions of Approval:

1. c05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 25-14123 V1

2. C18 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.

Remarks:

1. Quantity Use of the rights listed below is limited to a total combined annual diversion volume of 962.5 af. Combined Right Nos.: 25-2116A, and 25-14123.
2. Quantity Use of the rights listed below is limited to a total combined annual diversion volume of 1085 af. Combined Right Nos.: 25-2105B, 25-2116A, 25-2124B and 25-14123.
3. Place of Use - Irrigation Use of the rights listed below is limited to the irrigation of a combined total of 275 acres in a single irrigation season. Combined Right Nos.: 25-2116A, and 25-14123.
4. Place of Use - Irrigation Use of the rights listed below is limited to the irrigation of a combined total of 310 acres in a single irrigation season. Combined Right Nos.: 25-2105B, 25-2116A, 25-2124B and 25-14123.
5. Explanatory This right is a split from former right 25-7032A.

Comments:

DELOG
RM
12-9-04
1-3-05

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	25-2105B	_____	_____	_____	_____
_____	25-2116A	_____	_____	_____	_____
_____	25-2124B	_____	_____	_____	_____
_____	25-14123	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. ☒
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Clyde Cook

4. New Owner/Claimant(s)

Foster

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 308

City, State and ZIP Code

Rigby, Idaho 83442

New Telephone Number

(208) - 538-5170

5. Date you acquired the property

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JAN 07 2005

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DEC 08 2004
Department of Water Resources
Eastern Region

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 25-7032 Priority 3/22/1973 Amount 3.0 cfs

THIS IS TO CERTIFY, that JOHN A. WHEELER
of Rigby, ID, has complied with the terms and conditions of Permit
No. 25-7032 issued pursuant to Application for Permit dated 3-22-1973
and has submitted proof to the Department of Water Resources on 4-28-1978
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 6.49 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>4/1</u> to <u>11/1</u>	at <u>3.0</u> cfs and	<u>1179.5</u> AFA
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 3.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and continued is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1179.5 acre feet per year, said waters to be diverted within the SWNW, Sec. 12,
SWNE, Sec. 11, T3N, R40E in the County of Bonneville

Description and location of place of use:

Twp.	Range	Sec.	NEW				NNW				SWW				SEN				Totals
			NEW	NNW	SWW	SEN	NEW	NNW	SWW	SEN	NEW	NNW	SWW	SEN	NEW	NNW	SWW	SEN	
3N	40E	11	39	39	40	40	39												187
		12	15				20	25	40	40									115

Total number of acres irrigated 312

This right when combined with all other rights shall provide no more than
3.5 afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 40-212, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of
May, 19 81.

Director

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 25-14123
Date Received: 9/16/2004
Receipt No:
Received By:

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

1. Name of Claimant(s)

CLYDE A COOK Phone: (208)538-7215

PO BOX 566
RIRIE ID USA 83443

2. Date of Priority: 03/22/1973

3. Source: GROUND WATER , GROUND WATER , GROUND WATER Trib. to: , ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	40E	11	NE NW NE	BONNEVILLE	
03N	40E	12	SW NW NW	BONNEVILLE	
03N	40E	11	SE SW NE	BONNEVILLE	

5. Description of diverting works:

WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	2.52	

7. Total Quantity Appropriated is:
2.52 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

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SEP 22 2004

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	40E	11	NE	NE	IRRIGATION	26
			NW	NE	IRRIGATION	33
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	39
Section Acres						178
03N	40E	12	NW	NW	IRRIGATION	25
			SW	NW	IRRIGATION	40
			NW	SW	IRRIGATION	40
Section Acres						105
Total Acres						283

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:

14. Remarks:

Split from 25-7032A

15. Basis of Claim: License

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SEP 22 2004

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
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

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SCANNED

SEP 22 2004