

IDAHO DEPARTMENT OF WATER RESOURCES 12/06/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: LILA COLLING
587 SAWMILL CREEK RD
INKOM ID 83245

SOURCE: SAWMILL CREEK TRIBUTARY: RAPID CREEK

QUANTITY: 0.04 CFS

PRIORITY DATE: 03/04/1905

POINT OF DIVERSION:

T07S R36E S2 SWNWNE Lot 2 Within BANNOCK County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.040 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S02 Lot 2 NWNE 1.3

1.3 ACRES TOTAL

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

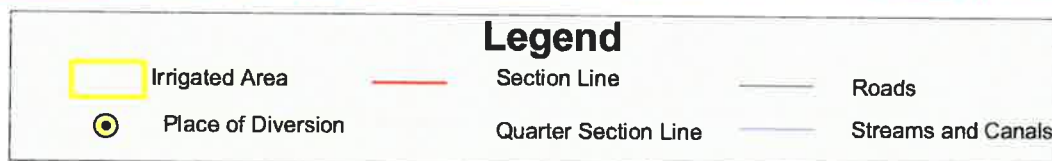
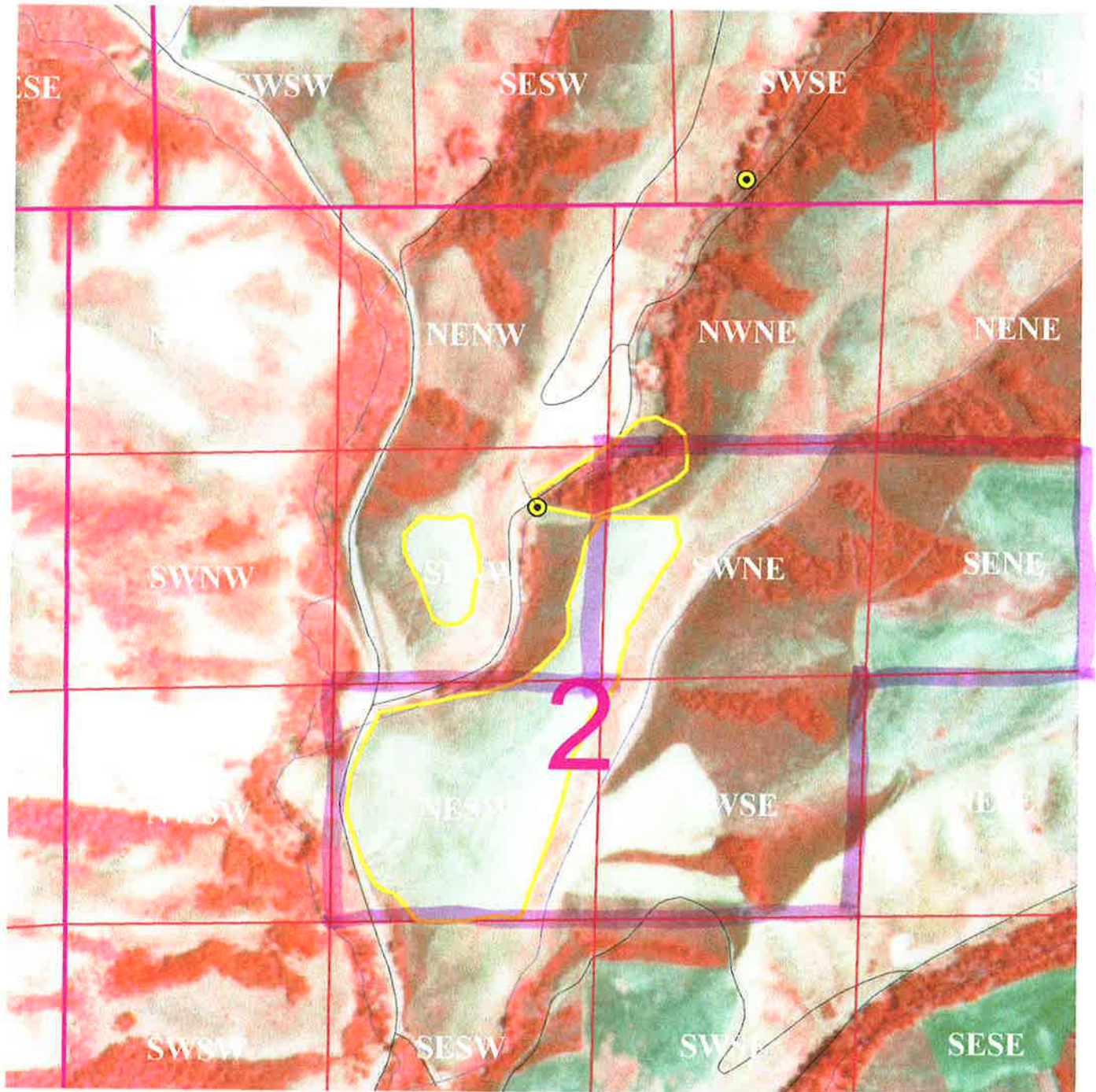
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

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

Water Right Claim Number A29-00299
Township , 7S36E

08/25/2000



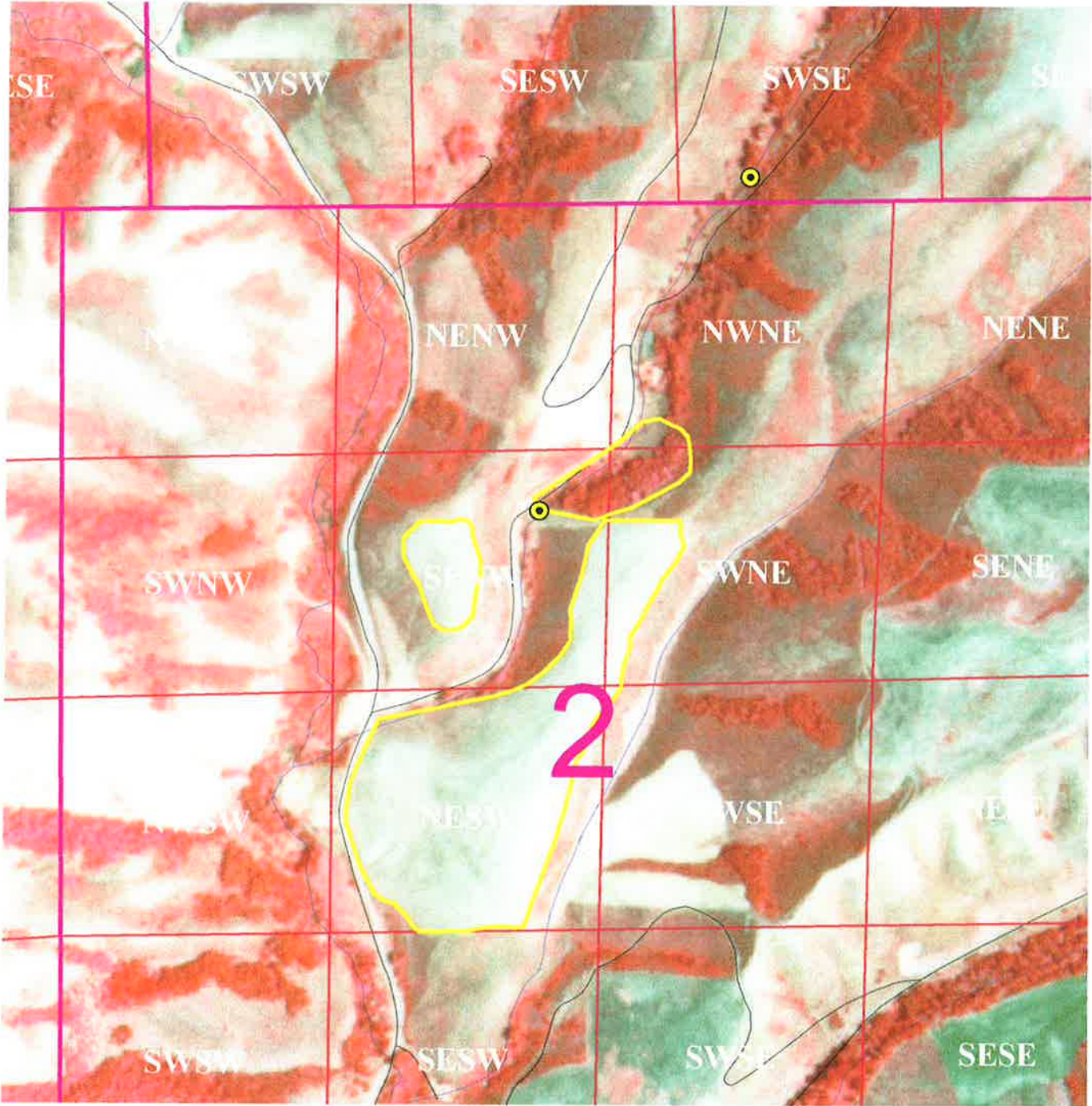
500 0 500 1000 Feet



Decreed POU

Water Right Claim Number A29-00299
Township , 7S36E

08/25/2000



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

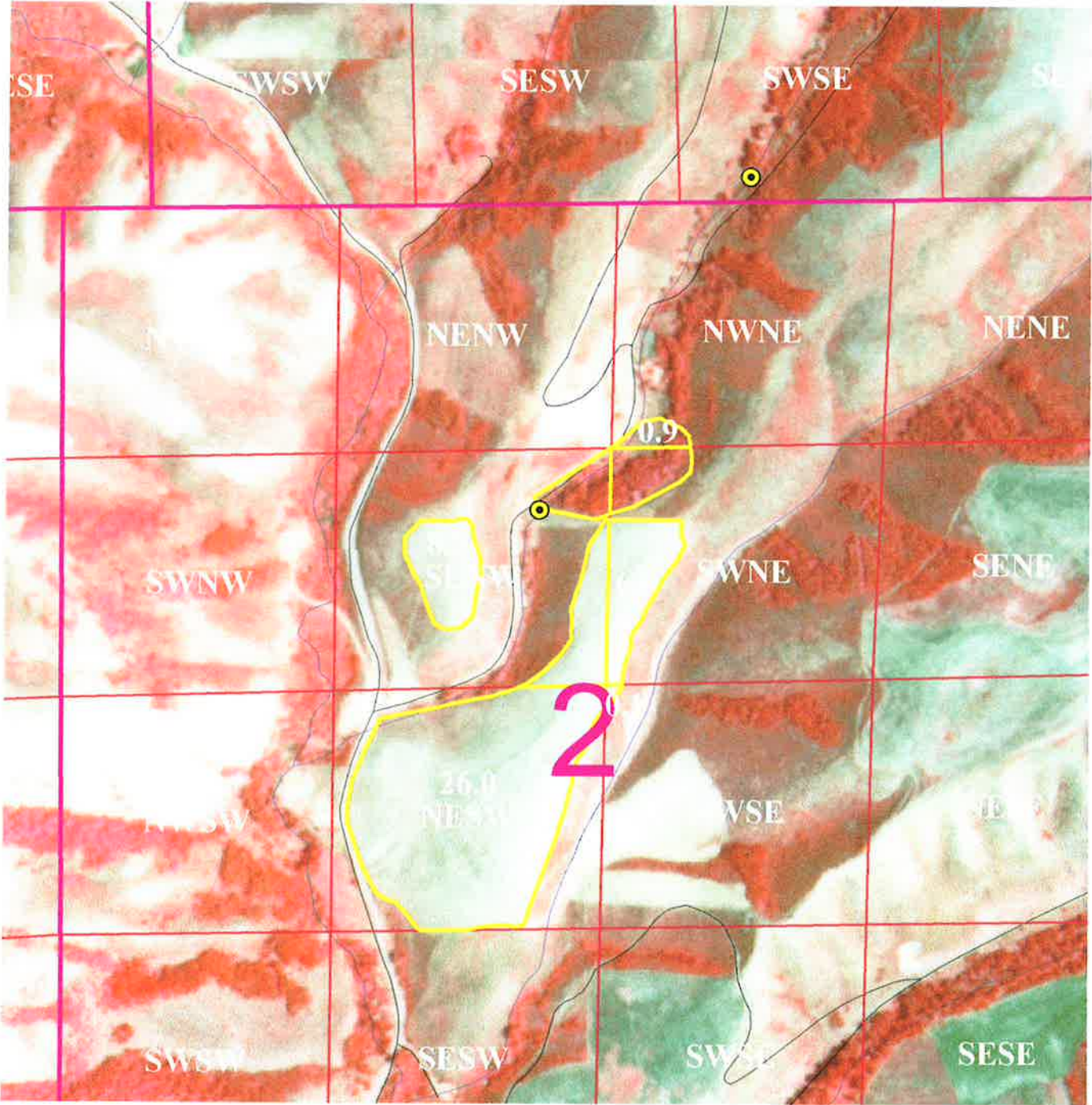
 Streams and Canals

Legend



Water Right Claim Number A29-00299
Township , 7S36E

08/25/2000



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-299 V1

WATER RIGHT NUMBER: 29-299 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LILA COLLING 587 SAWMILL CREEK RD INKOM, ID 83245 (208)775-3623
Original Owner	WILLIAM DAMRON
Original Owner	, ZZ ROBERT E COLLING 587 SAWMILL CREEK RD INKOM, ID 83245 (208)775-3623

Priority Date: 03/04/1905

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SAWMILL CREEK	RAPID CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

SAWMILL CREEK L2 SW1/4NW1/4NE1/4 Sec. 2, Twp 07S, Rge 36E, B.M.
BANNOCK County

Place of Use

IRRIGATION Within BANNOCK County

T07S R36E S02 Lot 2 NWNE 1.3

Total Acres: 1.3

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-299 V1

Comments:

1. csaxton 12/6/2001 POU

Comment: The majority of the claimed POU is dry farmed and has not been irrigated since at least 1947 when claimant acquired the property - Per claimant statement.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number: 29F
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	12/6/2001 10:29:57 AM	csaxton			Active
POD	12/6/2001 10:37:29 AM	csaxton			Active
Source	12/6/2001 10:42:03 AM	csaxton			Active
POU	12/6/2001 10:44:11 AM	csaxton			Active
POU	12/6/2001 10:45:37 AM	csaxton			Active
Use	12/6/2001 10:47:08 AM	csaxton			Active
Season	12/6/2001 10:48:24 AM	csaxton			Active
Quantity	12/6/2001 10:49:27 AM	csaxton			Active
Summary	12/6/2001 10:51:36 AM	csaxton	12/6/2001 10:51:36 AM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	12/6/2001 10:29:35 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam 10-10-01
POU	12/6/2001 10:44:45 AM	csaxton	Edited shape boundary
POU	12/6/2001 10:45:01 AM	csaxton	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-299 V1

Use	12/6/2001 10:47:09 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Priority Date	12/6/2001 10:29:58 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	12/6/2001 10:37:31 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the parent right have a POD? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 8. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - Decree does not define a POD. Since irrigated POU is not in decreed POU - recommending accomplished transfer. POU in place since 1947.
POD	12/6/2001 10:38:56 AM	csaxton	Edited point location
POD	12/6/2001 10:39:22 AM	csaxton	Edited PLS
Source	12/6/2001 10:42:05 AM	csaxton	(Yes) 1. Is the basis of claim decree or license? (Yes) 4. Does the parent right have a source? (No) 5. Can the claimed source be verified using the water right file? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field Exam 10/10/01. Source decreed as Joe Rainey creek, but USGS defines it as Sawmill Creek. No Joe Rainey creek in the area.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-299 V1

POU	12/6/2001 10:44:13 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the parent right have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 8 - Claimed POU not within decreed POU. Claimant has irrigated claimed POU since 1947 and there are no other claims on this decreed right. Description for Question 13 - Field Exam 10/10/01 and NAPP photography.
POU	12/6/2001 10:45:38 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the parent right have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 8 - Recommended POU not within decreed POU. Claimant has irrigated claimed POU since 1947 and there are no other claims on this decreed right. Description for Question 13 - Field Exam 10/10/01 and NAPP photography.
Season	12/6/2001 10:48:15 AM	csaxton	(Yes) 1. Is the basis of claim decree or license? (No) 4. Does the parent right have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-299 V1

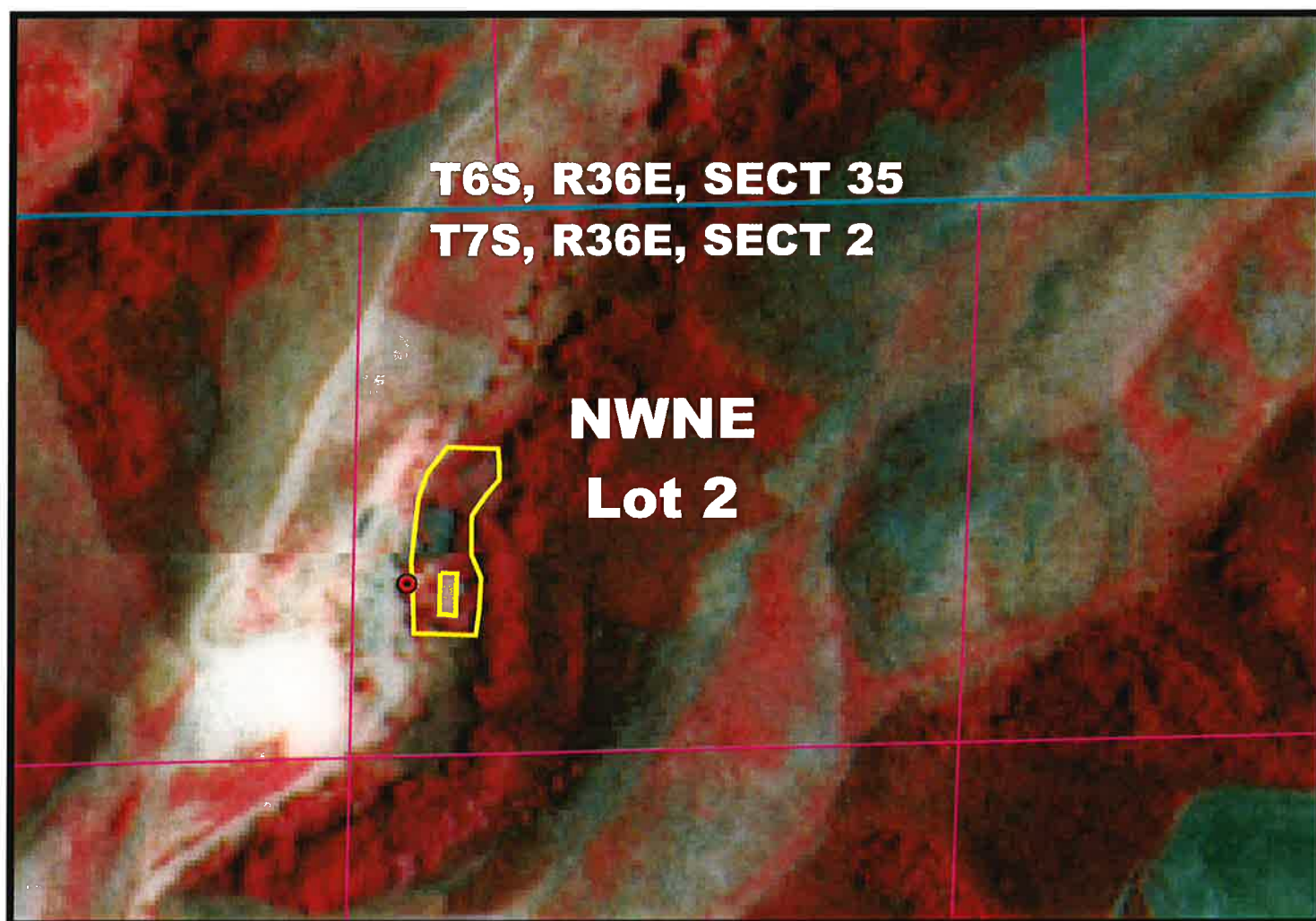
POD	12/6/2001 10:49:29 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	12/6/2001 10:51:38 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-00299



0 1320 Feet

Total Irrigated Acres: 1.3

● Point(s) of Diversion

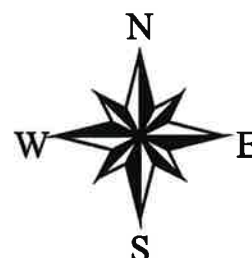
□ Place of Use

□ Quarter Quarter Lines

□ Section Lines

SCANNED
JUL 27 2005

PROFILED



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: October 2001

02/08/2003

NOTICE OF ERROR
REPLY

Craig

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: April 21, 2003

Water right number: 29-299

LILA COLLING

587 SAWMILL CREEK RD

INKOM ID 83245

Telephone Number: (208) 775-3623

RECEIVED
APR 16 2003
Department of Water Resources
Eastern Region

1. Describe the portion of the proposed recommendation with which you disagree (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: 3-26-03

SIGNATURE: *Lila M. Colling*

Please print your name: *Lila M. Colling*

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

PROFILED

SCANNED
JUL 27 2005

29-299

August 22, 2002

LILA COLLING
587 SAWMILL CK RD
INKOM ID 83245

RE: Water Right Research for use of Sawmill Ck and Springs

Dear Mrs. Colling:

Per our phone conversation today I did some research to determine if anyone else had filed for water rights from Sawmill Creek or the Springs that feed Sawmill Creek. Dale Kirkham and the Forest Service are the only other two entities that have claimed use of water from either Sawmill Creek or springs upstream from you.

Below is a summary:

Forest Service:	1902 priority, Sawmill Creek
Lila Colling:	1905 priority, Sawmill Creek
Dale Kirkhams:	1973 priority, Springs that are tributary to Sawmill Creek

As I explained on the phone, the oldest water right has the first right to the water as flow decreases in the creek. If I understand correctly, your main concern was that the Mr. Kirkham was diverting water when he didn't have a right to it. He does seem to have a valid water right, but it is Junior in priority to yours. However, his right is for 0.04 cfs, or 18 gallons per minute for domestic purposes. If he were to stop using that amount of water, I question whether the flow would make it to your property in this time of drought.

If you feel that the reduced flow in Sawmill Creek is due to the upstream users diverting water when they shouldn't, I would recommend you first contact the president of your water district which I believe is Barbara Morrison. That would be the first step that needs to be taken in order to determine regulation practices in your area.

I hope that this information is helpful.

Respectfully Submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

COPY

PROFILED

SCANNED
JUL 27 2005

CONVERSATIONAL MEMORANDUM

Date: August 20, 2002

From: Craig L. Saxton

Subject: SRBA claims 29-00299 and 29-00309

Claimant Lila Colling called today concerning low flow in Sawmill Creek. She was concerned that I had shut off Sawmill Creek water so she couldn't get water to irrigate around her home.

I told her that I had nothing to do with the low flow of Sawmill Creek and that it was probably due to the current drought situation. This was prompted by the fact that she had claimed irrigation on ground that is determined to be dry farmed. I told her that I could not recommend irrigation on this property in May of 2001 and she felt that I had altered the flow of the creek.

I did mention that Lila and the Forest Service are the only two people that claimed use of water from Sawmill Creek in the SRBA and she should check to see if someone upstream of her had blocked the creek flow. If that is the case, she needed to contact the Idaho Falls office for investigation.

PROFILED

SCANNED
JUL 27 2005

Memorandum

Date: October 11, 2001

From: Craig Saxton

Subject: Recommendation for 29-00299 and 29-00309

Background:

29-00299 decreed for 0.8 cfs with a priority of 3/4/1905

29-00309 decreed for 0.5 cfs with a priority of 6/22/1906

Both rights decreed to William Damron on the same POU

Right: 29-00309

Recommend as disallowed. Total cfs and acreage recommended is covered by right 29-00299 with an earlier priority date

Right: 29-00299

POU: Most of the claimed 39.4 acres is dry farmed per statement from claimant. Recommend 1.3 acres around the home that was irrigated in 1987. Old ditch show that area could have been historically irrigated. *around home*

C05 – Place of use is not in the decreed POU. However the claimants have been using this right at this POU since 1947 and there are no other claims to this right

POD: C03 – Pump currently in place has been in active POD since claimant has owned the property in 1947.

Season of use – ~~All times or 1/1-12/31~~ *NO 4/1-10/31*

Quantity – 0.03 cfs per acre = 0.04 cfs

Priority – Decreed priority of 3/4/1905

Diversion Volume – Not applicable

PROFILED

SCANNED

JUL 27 2005

Field notes from Field Exam on 10/10/01

29-10295 is domestic use from a spring – partially decreed

Lila moved to home in 1947. Husband has been on land since 1923. Lila says to her knowledge the Sawmill creek water was only used on lawn and around home.

Irrigate around lawn

Kirkham moved upstream in 1983-84. Lila concerned about Kirkham using water.

Pond that is now fed by spring replaced garden irrigated from Sawmill creek around 10 years ago.

Pumps make is Wayne: HP 1:

A total of 39.4 acres claimed as a PPU between 29-00299 and 29-00309. Majority of acreage claimed is dry farmed and per statement from Claimant has never been irrigated from Sawmill creek. Son Ken felt that since they bought water rights (I don't know who he bought them from) that he should have rights for future development and the claimed water was his. I explained that the water had to be used historically and from the information I have been given, it hasn't been used since at least 1947 except for around the home.

PROFILE

SCANNED
JUL 27 2005

29-00299&309

POD

Field Exam 10/10/01



POD in Sawmill Creek. Pump information: Make – Wayne: HP 1: SN 0017 (csaxton 10/11/01).

PROFILED

SCANNED

JUL 27 2005

29-00299&309

POU

Field Exam 10/10/01



Looking ~~south~~ at POU. Irrigate POU is around home (csaxton 10/11/01).

East

PROFILED

SCANNED
JUL 27 2005

29-00299&309

POU

Field Exam 10/10/01



Looking ~~SE~~ Home and lawn is to the right of picture. Shows POU (csaxton 10/11/01).

NE

PROFILED

SCANNED

JUL 27 2005

29-00299&309
Field Exam 10/10/01

Historical Conveyance



Top picture looking South. Bottom picture looking West. Both of these pictures show what looks like evidence of historical ditches that would convey creek water to the home-site (csaxton 10/11/01)

PROFILED

SCANNED
JUL 27 2005

9-7-01 : POW - Not Entirely in POW Decreed

Source declared as Joe Ramey aka But claimed as
Sawmill Creek

- Diversion Rate Excessive for acreage claimed

9-11-01 : In cap. never. Irrigated to knowledge
of Sam Chandler. POA High Mountains and
Irrigation Water couldn't reach Hills Dry Farm

13-782	500 SHEETS, FILLER	\$ SQUARE
42-381	50 SHEETS EYE-EASE®	\$ SQUARE
42-382	100 SHEETS EYE-EASE®	\$ SQUARE
42-383	200 SHEETS EYE-EASE®	\$ SQUARE
42-384	300 SHEETS EYE-EASE®	\$ SQUARE
42-385	400 SHEETS EYE-EASE®	\$ SQUARE
42-386	500 SHEETS EYE-EASE®	\$ SQUARE
42-387	100 RECYCLED WHITE	\$ SQUARE
42-388	200 RECYCLED WHITE	\$ SQUARE

Made in U.S.A.



PROFILED

SCANNED
JUL 27 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-299

WATER RIGHT NUMBER: 29-299

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILLIAM DAMRON
	, ZZ

Priority Date: 03/04/1905

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
JOE RAINEY CREEK	RAPID CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion
JOE RAINEY CREEK

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	
07S	36E	2			X					X					X				

Total Acres: 0

Conditions of Approval:Remarks:

- General P/D & P/U INCOMPLETE.^^^

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-299

Dates and Other Information:

Licensed Date:
Decreed Date: 6/22/1906
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 29F
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SCANNED

JUN 11 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 28, 2000

LILA COLLING
587 SAWMILL CREEK RD
INKOM ID 83245

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT **A29-00299**, A29-00309

Dear Claimant:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

A handwritten signature in cursive script that reads 'Jennifer Crabtree'.

Jennifer Crabtree
Technical Records Specialist

Enclosure

RECEIVED

AUG 28 2000

RECEIVED

AUG 25 2000

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, 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
	A29-00299				
	A29-00309				

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) are 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) Robert + Lila Colling
4. New Owner/Claimant(s) Lila Colling
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 587 Sawmill Creek Rd
- City, State and ZIP Code Idaho ID 83245
- New Telephone Number () 775-3623
5. Date you acquired the property 9/28/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

CERTIFICATION OF VITAL RECORD

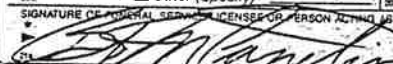
STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
COOPERATIVE CENTER FOR HEALTH STATISTICS

State of Idaho CERTIFICATE OF DEATH

State File No. _____
Local Reg. No. 6-368

ONLY A COPY OF THIS DOCUMENT, CERTIFIED BY THE STATE REGISTRAR, WITH THE DEPT. OF HEALTH & WELFARE RAISED SEAL, SHALL BE USED AS PRIMA FACIE EVIDENCE OF THIS DEATH UNDER IDAHO CODE 25-1401 & 25-1402

DECEDENT	DECEDENT — NAME		SEX		DATE OF DEATH (Month, Day, Year)
	ROBERT EUGENE COLLING		Male		September 28, 1995
	SOCIAL SECURITY NUMBER	AGE — Last Birthday (Yrs.)	UNDER 1 YEAR	UNDER 1 DAY	DATE OF BIRTH (Month, Day, Year)
	518-42-9981	70	MONTHS: _____ DAYS: _____	HOURS: _____ MIN: _____	April 22, 1925
	WAS DECEDENT EVER IN U.S. ARMED FORCES?		BIRTHPLACE (City and State or Foreign Country)		
	☐ Yes ☒ No		Inkom, Idaho		
	PLACE OF DEATH (Check only one)	HOSPITAL			
	☐ (1) Inpatient ☐ (2) ER/Outpatient ☐ (3) OOA	☐ (4) Long-Term Care Facility ☐ (5) Own Residence ☐ (6) Other Private Residence ☐ (7) Other (Specify)			
	FACILITY NAME AND ADDRESS (If not a hospital, enter name of place, street and number)				
	587 E. Sawmill Canyon Road, Inkom, Bannock				
	MARITAL STATUS — Married, Never Married, Widowed, Divorced (Specify)	SURVIVING SPOUSE (If wife, give maiden name)		DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired)	
	Married	Lila Mae Goodenough		Farmer/ Rancher	
	RESIDENCE STATE	COUNTY	CITY, TOWN OR LOCATION	STREET AND NUMBER	ZIP CODE
	Idaho	Bannock	Inkom	587 E. Sawmill Canyon Road	83245
	INSIDE CITY LIMITS?	WAS DECEDENT OF HISPANIC ORIGIN? (Specify No or Yes — if yes, specify Cuban, Mexican, Puerto Rican, etc.)		RACE — American Indian, Black, Japanese, White, etc. (Specify)	
	☐ Yes ☒ No	☐ Yes ☒ No		White	
	FATHER — NAME		MOTHER — FULL MAIDEN NAME		BIRTHPLACE
	Charles A. Colling		Helene A. Malleck		Nebraska
	INFORMANT'S NAME (Type/Print)		MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, Zip Code)		
	Lila Colling		587 E. Sawmill Canyon Road, Inkom, Idaho 83245		
	METHOD OF DISPOSITION		PLACE OF DISPOSITION (Name of cemetery, crematory, or other place)		LOCATION — City or Town, State
	☒ Burial ☐ Cremation ☐ Removal from Idaho		Inkom Cemetery		Inkom, Idaho
	SIGNATURE OF PERSON SERVING LICENSES OR PERSON AUTHORIZED TO SIGN		LICENSE NUMBER (of Licensee)		
			M-597		
	TIME OF DEATH		DATE PRONOUNCED DEAD (Month, Day, Year)		WAS CASE REFERRED TO CORONER?
	12:00 PM		September 28, 1995		☒ Yes ☐ No
	MANNER OF DEATH (Check One)				
	☒ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ Pending Investigation ☐ Could Not Be Determined				
	27. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line.				
	IMMEDIATE CAUSE (Final disease or condition resulting in death) a. Acute Myocardial Infarction DUE TO (or as a consequence of): _____ b. DUE TO (or as a consequence of): _____ c. DUE TO (or as a consequence of): _____ d. DUE TO (or as a consequence of): _____				
	27. PART II. Other Significant Conditions contributing to death but not resulting in the underlying cause given in Part I.				
	WAS AN AUTOPSY PERFORMED? ☐ Yes ☒ No WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH? ☐ Yes ☒ No				
	CERTIFIER (Check only one)				
	☐ PHYSICIAN — To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated. ☒ CORONER — On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.				
	SIGNATURE AND TITLE OF CERTIFIER		LICENSE NUMBER		DATE SIGNED (Month, Day, Year)
	Fred Mann, Deputy Coroner		_____		30 Oct. 1995
	NAME AND ADDRESS OF CERTIFIER (Type/Print)				
	Fred Mann, 928 Tanager Drive, Pocatello, Idaho 83201 (Deputy Coroner)				
	DATE OF INJURY (Mo., Day, Yr.)	HOUR OF INJURY	DESCRIBE HOW INJURY OCCURRED		
	_____	_____	_____		
	INJURY AT WORK?	IF TRANSPORTATION ACCIDENT, Specify		PLACE OF INJURY — At home, farm, street, factory, office building, etc. (Specify)	
	☐ Yes ☒ No	☐ Driver ☐ Passenger ☐ Pedestrian ☐ Other		_____	
	CORONER'S ACTION (Check One)				
	☐ (1) Reviewed Only ☐ (2) Reviewed and/or Amended, and Certified				
	CORONER'S SIGNATURE		DATE SIGNED (Month, Day, Year)		
	_____		_____		_____
	REGISTRAR'S SIGNATURE				
	Kathy Vireland (Deputy)				
	DATE FILED (Month, Day, Year)				
	October 12, 1995				

I certify that this is a true and correct reproduction or abstract of an official record filed with the IDAHO COOPERATIVE CENTER FOR HEALTH STATISTICS.

DATE ISSUED: October 12, 1995

JANE S. SMITH
State Registrar

Log for claim A29-00299

Spatial Dynamics LTD

8/25/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	2	NWNE	2	0.9	
07s36e	2	SWNE	6	6.6	
07s36e	2	SENE	6	8.7	
07s36e	2	NESW	24	26	
07s36e	2	NWSE	0.8	0.1	
Totals:			38.8	42.3	

AJ5809NP
No. A29-00299

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 62

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT E COLLING	03/04/1905	IRRIGATION	03-15 11-15	0.800 CFS	
C	LILA COLLING					
	587 SAWMILL CREEK RD			TOTAL DIVERSION:	0.800 CFS	
	INKOM ID 83245			CONSUMPTIVE USE:		98.50 AFA
	(208) 775-3623					

Water Source: SAWMILL CREEK

Tributary to: RAPID CREEK

Stage: DECREED

Point(s) of Diversion:	T06S R36E S35	SWSE	BANNOCK County
	T07S R36E S02	SENW	BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
07S	36E	2	:	02-02	06	:		06	:	24				:	.8				:	39.4
																			TOTAL ACRES	39.4

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-0309.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00309

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00309

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 29F.

Remarks: GEN SOURCE DECREED AS JOE RAINEY CREEK

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 29F Field Inspection Flag:
Presumption Flag:

Audit: 02/06/90 WILSON 04/04/94 THOMPSON 03/29/95 POST-STD 04/12/00 CVANDERM

JUN 11 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: A29-00299
Date Received: 2/06/1990
Receipt No: E011971
Received By: Kew

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT E. COLLING - *Deceased* 208-775-3623
Address: 587 SAWMILLE CREEK ROAD 83245
INKOM, ID
OR
Name: LILA COLLING 208-775-3623
Address: 587 SAWMILL CREEK ROAD 83245
INKOM, ID

A2900299



2. Date of Priority: MAR 04, 1905

3. Source: SAWMILL CREEK Trib. to: RAPID CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	36E	35	SW	SE			BANNOCK
07S	36E	2	SE	NW			BANNOCK

5. Description of diverting works:
DIVERSION DAM TO DITCHES PUMPS FOR IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

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

8. Total consumptive use is 98.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-00299

Page 1

Date: 02/06/90

MICROFILMED

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	2	N ⁰ NW	NE	2 IRR	2.0
			✓ SW	NE	IRR	6.0
			N ⁰ SE	NW	IRR	6.0
			✓ NE	SW	IRR	24.6
			✓ NW	SE	IRR	0.8
					Section Acres	39.4
					Total Acres	39.4

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
29-0309.

14. Remarks:
SOURCE DECREED AS JOE RAINEY CREEK

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

CHARLES E. STEWART, ET. AL.
Decree Plaintiff

VS

A. J. DAMRON, ET. AL.
Decree Defendant

MICROFILMED
NOV 13 1992

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): Robert E. Bolling Date: 2-6-90

Date: _____

State of Idaho)
County of Donnerstag) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of February 19 90 Robert E. Bolling
Notary Public

Seal



Residing at Idaho Falls
My Commission Expires 7/29/1991

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 29-299
Date Received: 2/6/90
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

Name: LILA COLLING Phone: (208)775-3623

Address: 587 SAWMILL CREEK RD
INKOM ID USA 83245

2. Date of Priority: 03/04/1905

3. Source: SAWMILL CREEK Trib. to: RAPID CREEK

4. Point of Diversion:

Township	Range	Section 1/4 of 1/4 of 1/4	Lot	County
07S	36E	2 SE NW		BANNOCK
06S	36E	35 SW SE		BANNOCK

5. Description of diverting works:

DIVERSION DAM TO DITCHES PUMPS FOR IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.8	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section 1/4 of 1/4	Lot	Use	Acres	
07S	36E	2	SW	NE	IRRIGATION	6
			SE	NW	IRRIGATION	6
			NE	SW	IRRIGATION	24.6
			NW	SE	IRRIGATION	0.8
			NW	NE	IRRIGATION	2
Section Acres					39.4	
Total Acres					39.4	

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

Use of water under this water right will be regulated by the watermaster of State Water District
No. & DISTRICT.
CHANGED OWNERSHIP PER REQUEST/JC/8-28-00

15. Basis of Claim: Decreed

5675

5616

34

35

R36E

5055

pring

Sawmill

5653

T6S

T7S

5621 x

POINTS OF DIVERSION

PLACE OF USE

5936

BM
4921

4887

A29 00299

10

11

NOV 13 1892

5146 x

