

11/12/2006

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

RIGHT NUMBER: 75-4494H

NAME AND ADDRESS: BRUCE A COLE
612 MAIN ST
SALMON ID 83467

MELISSA J COLE
612 MAIN ST
SALMON ID 83467

SOURCE: NORTH FORK SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.300 CFS

PRIORITY DATE: 04/01/1908

POINT OF DIVERSION:

T25N R21E S28 SWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/01 10/31

0.300 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T25N R21E S28

NWSW

0.50

T25N R21E S28

SWSW

14.50

15 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: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources



Adjudication Claim Number: **75-4494H**



Legend

-  PLS Sections
-  Quarter Quarters



0 0.1 0.2 Miles

A horizontal scale bar with three segments, corresponding to the 0, 0.1, and 0.2 mile markings.

Prepared by M. Vanbussum
On Thursday, May 12, 2005
1991 Aerial Photography

11/20/2006

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 75-4494H

BRUCE A COLE
612 MAIN ST
SALMON ID 83467

MELISSA J COLE
612 MAIN ST
SALMON ID 83467

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:

12/16/06

SIGNATURE:

Bruce A. Cole

Please print your name:

Bruce A. Cole

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A75-04494G A75-04494H

1. ☐ No Change NAME IS SAME
☐ NEW OWNER: Bruce + Melissa Cole
☐ No Change ADDRESS
☐ NEW ADDRESS: 612 main St Salmon, Id 83467

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☐ No Change — POINT OF DIVERSION GPS 055
☐ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0014967

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

*Bruce and Melissa Cole have purchased the
Nangle place, so I have put the claims
together*

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name
Jack F. Ellis
Signature

11/10/2009 photo of Cole et al. diversion from North Fork Salmon River
Photo taken by: Paul E. - 1 -

SCANNED
AUG 14 2009



7S-4494C#7S-4494H



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

FEBRUARY 13, 1995

BRUCE A COLE
PO BOX 1987
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-04494D

Dear Mr. Cole:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim for the others, the rights were split as follows:

A75-04494G (Naugle) 0.50 cfs; 25 acres
A75-04494H (Cole) 0.30 cfs; 15 acres

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Adjudications Secretary

Enclosure:

cc: Frederick B Naugle/copy claim/letter

MICROFILMED
NOV 18 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED
FEB 08 1995DATE OF CLOSING: July 1992Department of Water Resources
Eastern District Office
FEB 06 1995LEGAL DESCRIPTION OF PROPERTY: Township 25N Range 21E
Section 28, 1/4 of SW NW 1/4 of SW SW 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

Leimhi County

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A75-04494D
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Frederick B. & Jacqueline C. Naugle
Box 111
North Fork, Idaho 83466
- ☐ New Owner/Claimant (Purchaser): Bruce A. & Melissa J. Cole
- ☐ New Mailing Address: Box 1987,
Salmon, Idaho 83467
- ☐ New Telephone Number: (208) 756-2649
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
For south 15.43 Acres of land in recorded survey #6-4793-G
T25N R21E Sec. 28 NW of SW
SW SW
- ☐ Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): Bruce A. Cole Date Jan 23, 1993
Melissa J. Cole Date Jan 23, 1993
- ☐ Signature of Former Owner/Claimant(s): Frederick B. Naugle Date Jan 23, 1993
Jacqueline C. Naugle Date Jan 23, 1993
- (Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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NOV 18 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

RECEIVED
FEB 06 1995

QUITCLAIM DEED

For Value Received, FREDERICK B. NAUGLE and JACQUELINE C. NAUGLE, husband and wife, do hereby convey, release, remise and forever quitclaim unto BRUCE A. COLE and MELISSA J. COLE, husband and wife, whose address is P. O. Box 1987, Salmon, Idaho 83467, the following described premises in Lemhi County, Idaho, to-wit:

A fraction of H.E. S. 647 located in Section 28, T. 25 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at Corner #1, H.E.S. 647, run thence N. 08°21'36" E. a distance of 767 feet;
Thence S. 78° E. a distance of 486 feet;
Thence N. 10° E. a distance of 86.19 feet;
Thence N. 88°57'13" E. a distance of 630.49 feet;
Thence S. 01°07'11" E. a distance of 410 feet;
Thence S. 88°54'14" W. a distance of 420 feet;
Thence S. 01°05'46" E. a distance of 243 feet;
Thence S. 88°51'00" W. a distance of 324.11 feet;
Thence S. 80°03'46" W. a distance of 507.86 feet
to the point of beginning.

together with their appurtenances.

DATED: July 8, 1992.

Frederick B. Naugle
Frederick B. Naugle

Jacqueline C. Naugle
Jacqueline C. Naugle

State of Idaho)
County of Lemhi)

215081

ss No. _____

This instrument was filed for record at the request of Sherrin Furey IV at 4:15 o'clock p m July 17 1992 and duly filmed and indexed in the records of Lemhi County

Alberta Wiedenrick

Ex-Officio Recorder

By Debra Salton Deputy

Fees: 6.00

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NOV 18 1996

RECEIVED

FEB 06 1995

Deputy

STATE OF IDAHO)
).ss
County of Lemhi)

On this *eth* day of July, 1992 , before me, the undersigned, a Notary Public in and for said State, personally appeared FREDERICK B. NAUGLE and JACQUELINE C. NAUGLE, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Notary Public for Idaho
Residing at: *Salmon* Idaho
My Commission Expires *3/1/97*



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NOV 18 1996

SCANNED
OCT 1 1994

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: **A75-04494H**
Date Received: 4/25/1990
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILE**

1. Name: BRUCE A COLE
Address: PO BOX 1987
SALMON ID

208-756-2649

83467

AND

Name: MELISSA J COLE
Address: PO BOX 1987
SALMON ID

208-756-2649

83467

2. Date of Priority: APR 1, 1908

3. Source: SALMON RIVER, NORTH FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
25N	21E	28		SW	NW		LEMHI
				NW	SW		LEMHI

5. Description of diverting works:
HEADGATE & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.300		

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

8. Total consumptive use is 37.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A7504494H



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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
25N	21E	28	SW	SW		IRR	15.0
Section Acres							15.0
Total Acres							15.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

NOTICE IS RESULT IN CHANGE OF OWNERSHIP FOR A PORTION OF
A75-04494B, PAID FOR UNDER E013680. EMC 06-04-91
*CHANGE IN OWNESHIP 2-13-95 GJT.

15. Basis of Claim: STATUTORY CLAIM

