

05/17/2006

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

RIGHT NUMBER: 75-7007

NAME AND ADDRESS: VAN ERON COINER
236 HWY 93 S
SALMON ID 83467

FAYE A COINER
236 HWY 93 S
SALMON ID 83467

SOURCE: PHELAN CREEK

TRIBUTARY: NAPIAS CREEK

QUANTITY: 2.780 CFS
417.000 AFY

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

PRIORITY DATE: 12/08/1969

POINT OF DIVERSION:

T21N R20E S9 SESW Within LEMHI County
T21N R20E S17 SENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	5/01 11/30	2.780 CFS 417.00 AFY

PLACE OF USE: IRRIGATION Within LEMHI County

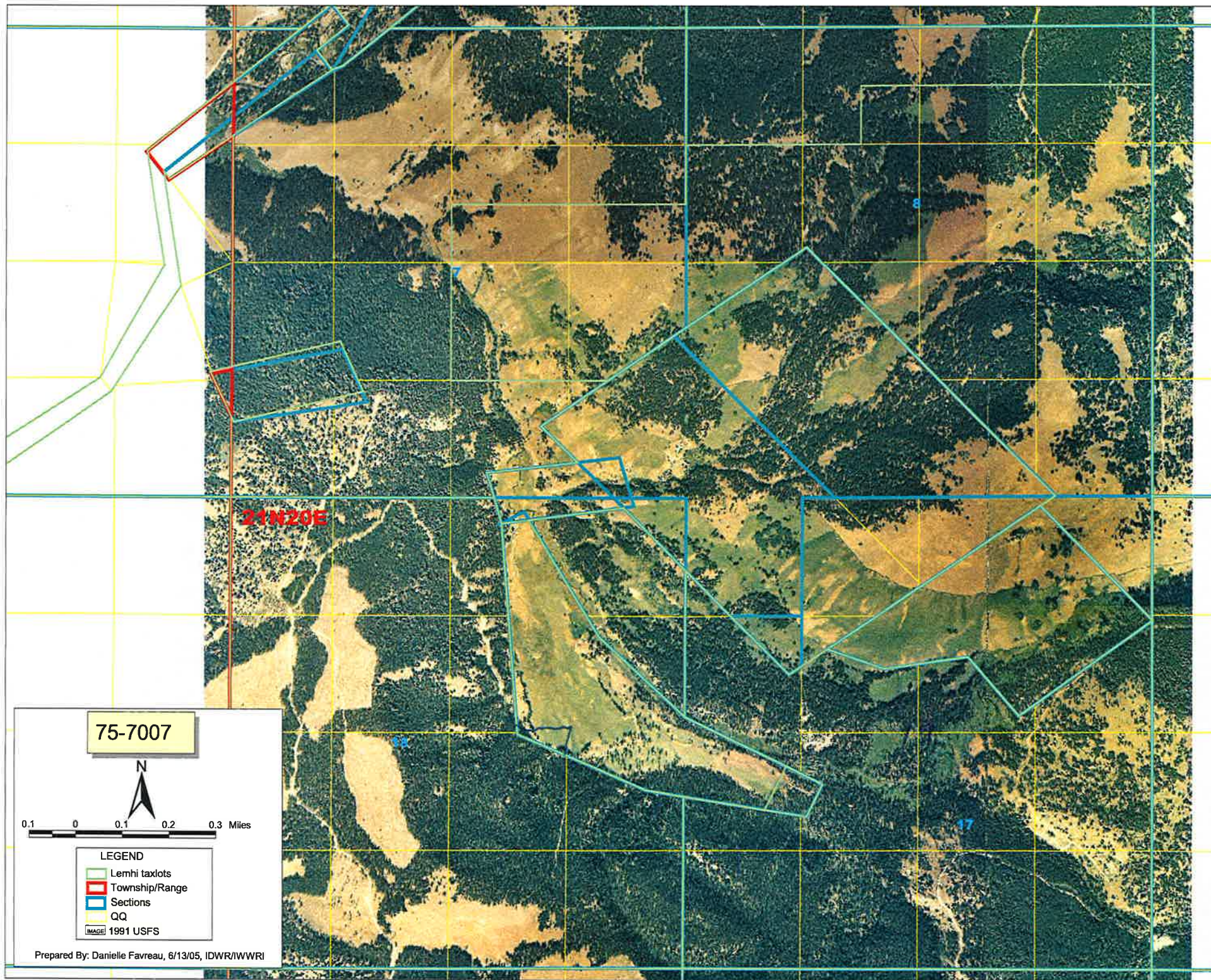
T21N R20E S07	SESE	10.00	T21N R20E S08	SWSW	20.00
T21N R20E S17	NENW	35.00	T21N R20E S17	NWNW	30.00
T21N R20E S17	SWNW	12.00	T21N R20E S17	SENW	20.00
T21N R20E S18	NENE	10.00	T21N R20E S18	NWSE	2.00

139 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 - License



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: 75-7007

VAN ERON COINER

236 HWY 93 S

SALMON ID 83467

Telephone Number: (208)756-3529

FAYE A COINER

236 HWY 93 S

SALMON ID 83467

Telephone Number: (208)756-3529

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: 12-3-06

SIGNATURE:

V. Eron Coiner

Faye A. Coiner

Please print your name: Van Eron Coiner

FAYE A. COINER

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

RECEIVED

DEC 13 2006

IDWR/North

Ray Henderson FS. 6/7/06 confirms



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

JUN 07 2006

IDWR/North

May 23, 2006

Eron & Faye Coiner
236 Hwy 93 S
Salmon, ID 83467

RE: 75-2171 & 75-7007

Dear Mr. & Mrs. Coiner:

I am reviewing two of your Snake River Adjudication claims. Claim 75-7007 lists 20 acres of irrigation in the SENW S17 T21N R20E and claim 75-2171 lists 10 acres for a total of 30 acres. I have enclosed two maps showing your ownership outlined in black and the US Forest Service ownership outlined in red. It appears that you own about 16 acres in that 40 acre tract. Was there a mistake in our licensing process or has there been a change in the location of the irrigation?

In the NWSE S18 T21N R20E there is total of 3 acres claimed and your ownership is almost 2 acres. The question is the same regarding this tract.

If you have any questions, feel free to contact me.

Sincerely,

Kenneth Knoblock
Water Resources Agent

Regarding acreage listed in claim # 75-7007 and 75-2171.

The 14 acres discrepancy are on Forest Service land, which we are in the process of acquiring.

Any questions regarding the acquiring of the land should be directed to Ray Henderson, the Forest Service personnel involved in the trade. His number, 208-756-5100, ask for Ray Henderson. Sincerely, Faye & Eron Coiner



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 23, 2006

Eron & Faye Coiner
236 Hwy 93 S
Salmon, ID 83467

RE: 75-2171 & 75-7007

Dear Mr. & Mrs. Coiner:

I am reviewing two of your Snake River Adjudication claims. Claim 75-7007 lists 20 acres of irrigation in the SENW S17 T21N R20E and claim 75-2171 lists 10 acres for a total of 30 acres. I have enclosed two maps showing your ownership outlined in black and the US Forest Service ownership outlined in red. It appears that you own about 16 acres in that 40 acre tract. Was there a mistake in our licensing process or has there been a change in the location of the irrigation?

In the NWSE S18 T21N R20E there is total of 3 acres claimed and your ownership is almost 2 acres. The question is the same regarding this tract.

If you have any questions, feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock'.

Kenneth Knoblock
Water Resources Agent

Rge - 20E

15-7008
from 7008
75-2171

T

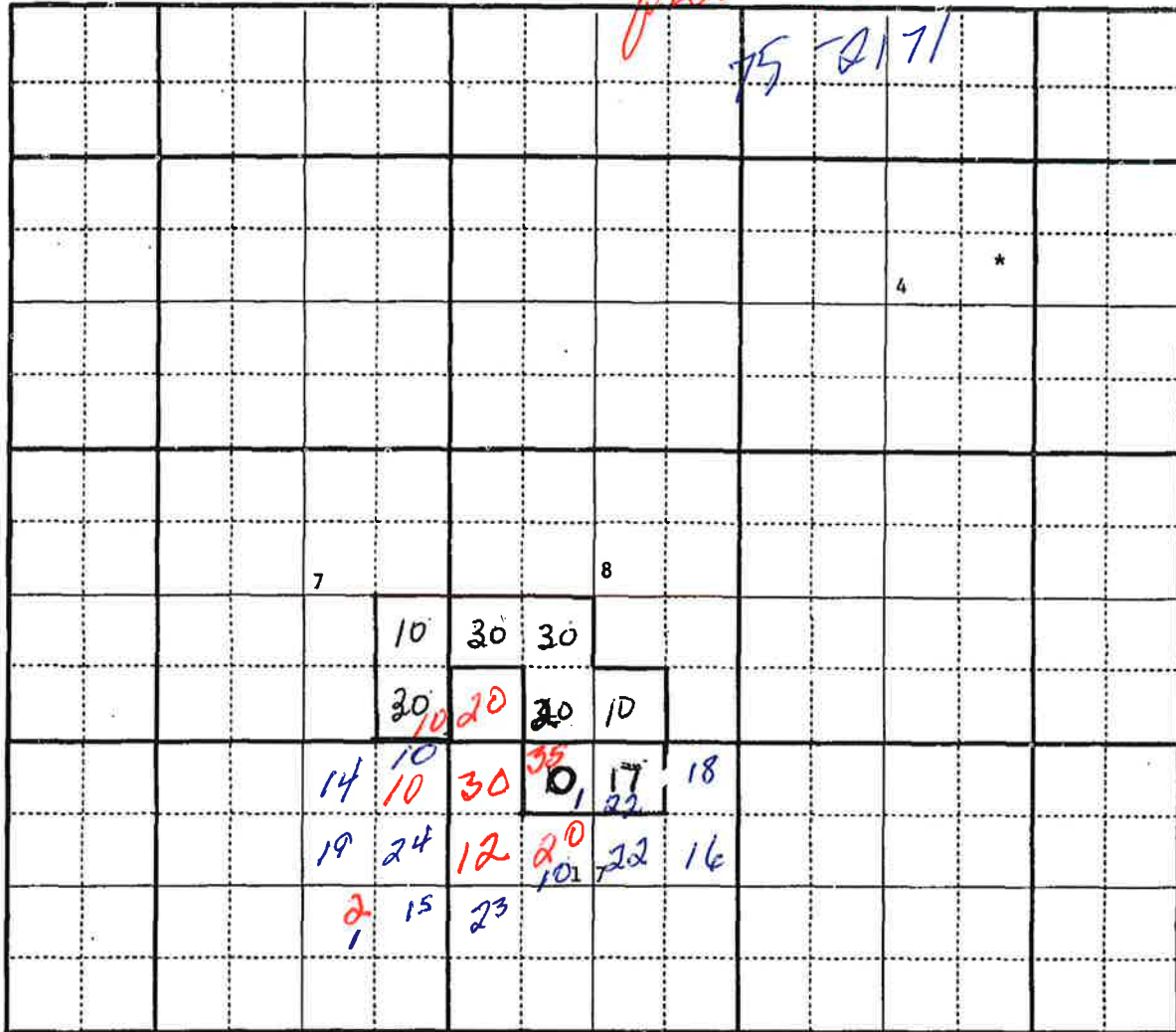


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 75-7007 Priority Dec. 8, 1969 Amount 2.78 cfs

THIS IS TO CERTIFY, that Hugh M. Colner & V. Eron Colner
of Salmon, Idaho, have ~~not~~ complied with the terms and conditions of Permit
No. 75-7007 issued pursuant to Application for Permit dated December 8, 1969,
and has submitted proof to the Department of Water Resources on February 25, 1974
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 6.33 cfs of water from Phelan Creek
tributary to Napias Creek, 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
<u>Irrigation</u>	from <u>May 1</u> to <u>Nov. 30</u>	at <u>2.78</u> cfs and	<u>417 acre feet or</u>
	from _____ to _____	_____ cfs and	<u>3.0 af per acre</u>
	from _____ to _____	_____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 2.78 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 confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
417 acre feet per year, said waters to be diverted within the SE 1/4 SW 1/4, Sec. 9 and-
SE 1/4 NE 1/4, Sec. 17, Twp. 21 N, Rge. 20 E, B. M. in the County of Lemhi

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW 1/4				SW 1/4				SE 1/4				Totals
			NEW	NW 1/4	SW 1/4	SE 1/4	NEW	NW 1/4	SW 1/4	SE 1/4	NEW	NW 1/4	SW 1/4	SE 1/4	NEW	NW 1/4	SW 1/4	SE 1/4	
21 N	20 E	7																10	10
		8											20						20
		17					35	30	12	20									97
		18	10														2		12

Total number of acres irrigated 139

Measuring devices of a type approved by the Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, 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 26 day of
February, 19 75.

MICROFILMED

Director

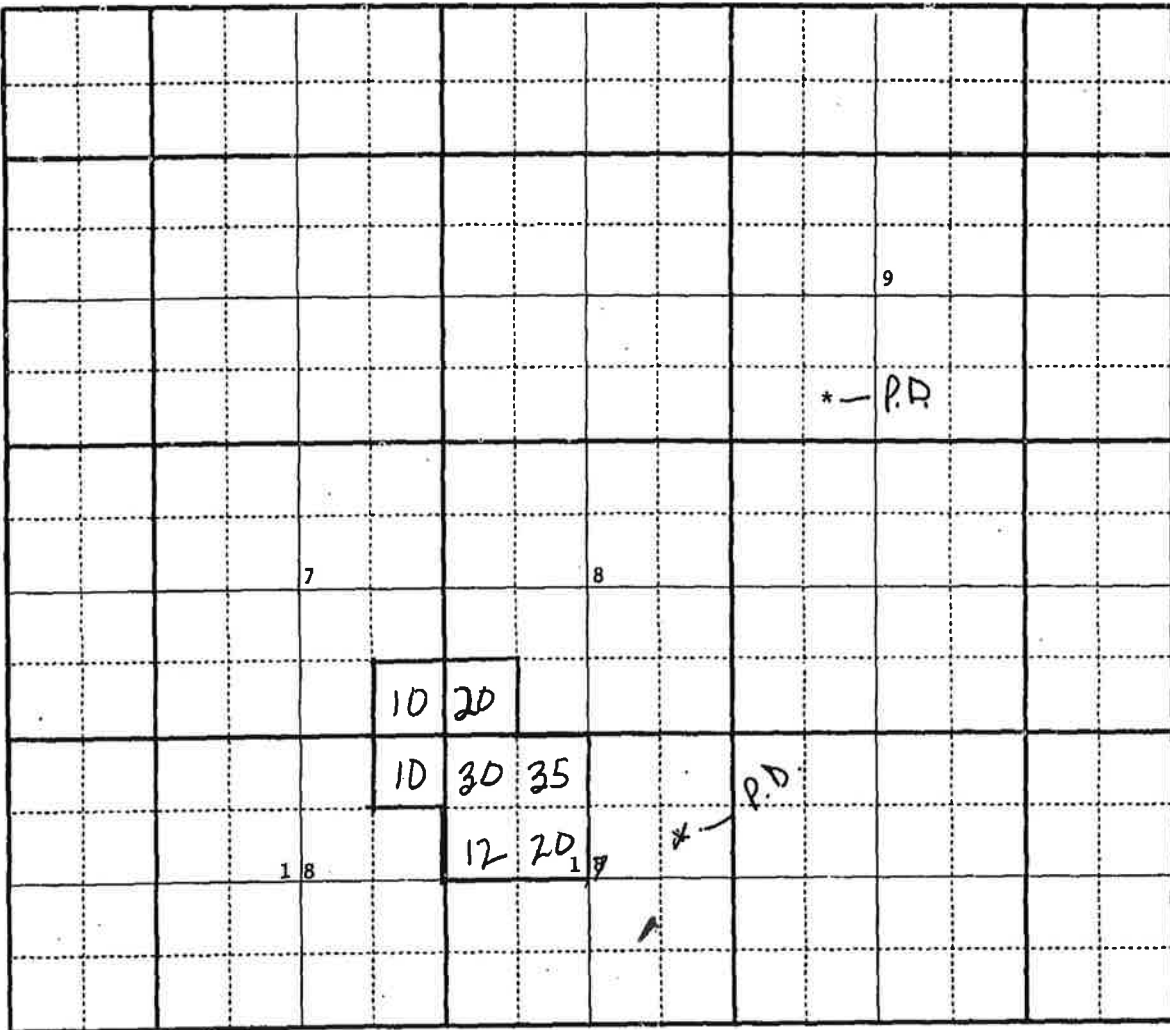


Diagram of System

SCANNED

OCT 1 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: A75-07007
Date Received: 4/19/1990
Receipt No: 1006683
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VAN ERON COINER
Address: RT 1 BOX 255B
SALMON, ID 83467 208-756-3529

Name: FAYE A. COINER
Address: RT 1 BOX 255B
SALMON, ID 83467 208-756-3529

2. Date of Priority: DEC 08, 1969

3. Source: PHELAN CREEK Trib. to: NAPIAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
21N	20E	9	SE	SW			LEMHI
		17	SE	NE			LEMHI

5. Description of diverting works:
HEADGATE/ DITCHES TO FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/30	2.780		417.00

7. Total Quantity Appropriated is:
2.780 C.F.S. (and/or) 417.00 A.F.A.

8. Total consumptive use is 347.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 200 HEAD CATTLE

A75-07007

Page 1

Date: 04/19/90

MICROFILMED

DEC 15 1992

A7507007



10. Place of Use:

Township 21N	Range 20E	Section 7	1/4 SE	of 1/4 SE	Lot	Use IRR	Acres 10.0
						Section Acres	10.0
		8	SW	SW		IRR	20.0
						Section Acres	20.0
		17	NE	NW		IRR	35.0
			NW	NW		IRR	30.0
			SW	NW		IRR	12.0
			SE	NW		IRR	20.0
						Section Acres	97.0
		18	NE	NE		IRR	10.0
			NW	SE		IRR	2.0
						Section Acres	12.0
						Total Acres	139.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): Van Eron Coiner Date: April 19, 1990

Date: _____

State of Idaho)
County of Lewisi) ss.

Subscribed and sworn (or affirmed) before me this 19 day
of April 19 90 David Carl
Notary Public

Seal

Residing at Heise, Id
My Commission Expires 2/26/96