

RECEIVED

MAR 17 2008
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
MAR 14 2008
By _____
Clerk
Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) SPECIAL MASTER'S REPORT
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 67-10173

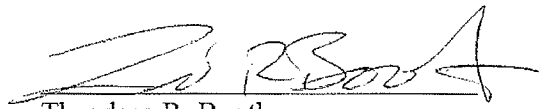
A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* recommended that the water right claim be disallowed.

On August 20, 2007, the claimant of the water right, Mildred D. Cooper, filed an objection to the *Director's Report*, asserting that the water right claim should be allowed. On March 5, 2008, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

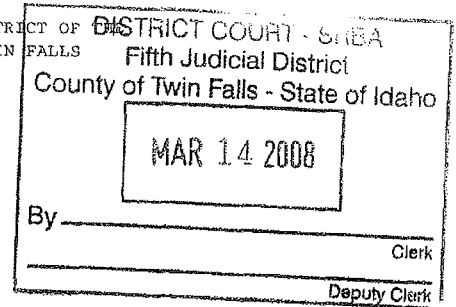
Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 67-10173 be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated March 14, 2008


Theodore R. Booth
Special Master
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 67-10173



NAME AND ADDRESS: MILDRED D COOPER
2150 SEID CREEK RD
CAMBRIDGE, ID 83610

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.18 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT AND 67-10172 FOR DOMESTIC
AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1961

POINT OF DIVERSION: T16N R04W S15 NESW Within Washington County

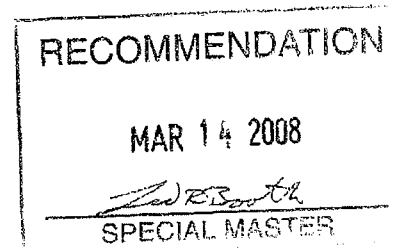
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.14 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS
	Domestic	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Irrigation		Within Washington County
	T16N R04W S15	NESW 5.8	NWSW 1.3
	7.1 Acres Total		
	Stockwater		Within Washington County
	T16N R04W S15	NESW	NWSW
	Domestic		Within Washington County
	T16N R04W S15	NESW	
	DOMESTIC USE IS FOR 1 HOME.		

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC
USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL
BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).



DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 14 2008	
By _____	Clerk
Deputy Clerk	

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

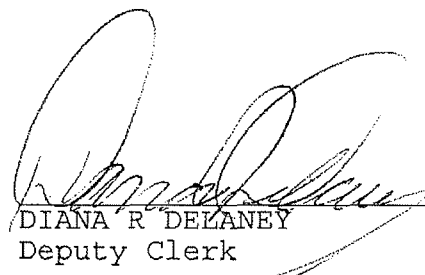
Water Right(s): 67-10173

On March 14, 2008, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

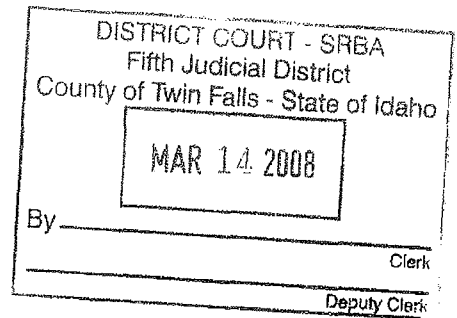
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED March 14, 2008.



DIANA R. DELANEY
Deputy Clerk



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

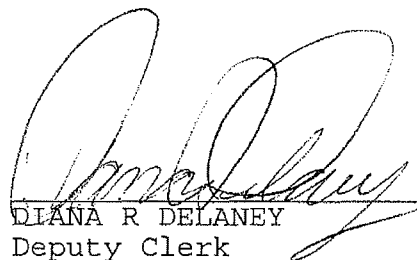
Water Right(s): 67-10173

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on March 14, 2008, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

MILDRED D COOPER
2150 SEID CREEK RD
CAMBRIDGE, ID 83610
Phone: 208-257-3432



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
03/14/08

11/27/2007

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

RIGHT NUMBER: 67-10173

NAME AND ADDRESS: MILDRED D COOPER
2150 SEID CREEK RD
CAMBRIDGE ID 83610

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.180 CFS

The quantity of water under this right and 67-10172 for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1961

POINT OF DIVERSION:

T16N R04W S15 NESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.140 CFS
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.020 CFS

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION in WASHINGTON County

T16N R04W S15 NESW 5.80 T16N R04W S15 NWSW 1.30

STOCKWATER in WASHINGTON County

T16N R04W S15 NESW T16N R04W S15 NWSW

DOMESTIC in WASHINGTON County

T16N R04W S15 NESW

7.1 ACRES TOTAL

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

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

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

Parcel No(s): RP16N04W155100

Stockwater use is for 15 mixed head.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10173 V1

WATER RIGHT NUMBER: 67-10173 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MILDRED D COOPER 2150 SEID CREEK RD CAMBRIDGE, ID 83610 (208)257-3432

Priority Date: 04/01/1961
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.140 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
DOMESTIC	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.180 CFS	

Location of Point(s) of Diversion

SPRING	NE1/4SW1/4	Sec. 15, Twp 16N, Rge 04W, B.M.
WASHINGTON 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	
16N	04W	15									5.8	1.3							7.1

Total Acres: 7.1

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	04W	15									X	X							

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10173 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16N 04W 15									X								

Conditions of Approval:

1. Parcel No(s): RP16N04W155100
2. N09 The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
3. N14 The quantity of water under this right and 67-10172 for domestic and stockwater uses shall not exceed 13,000 gallons per day.
4. 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.
5. X01 Domestic use is for 1 home.
6. X02 Stockwater use is for 15 mixed head.

Remarks:Comments:

1. mmount 8/29/2006 pou
Comment: The shape does not specify which 20 acres, the tax lot is only 22 acres and domestic, stockwater and irrigation were all claimed. Only 20 acres are recommended somewhere within shape.
2. mmount 8/29/2006 priority
Comment: Spoke with claimant about eop, she said she will work on providing some type of evidence.
3. jdean 11/16/2006 Disallowed
Comment: Evidence of Priority requested 8/17/06 at field exam, 67 mass mailing. No EOP received. Disallowed.
4. csaxton 9/27/2007 Priority date
Comment: EOP submitted speaks of special use permits back to 1951. The special use permits information speaks of later development in 1963 but only addresses improvements in fencing and stock watering. There is no evidence to indicate that the full claimed acreage was not being irrigated in 1951.
5. csaxton 9/27/2007 Domestic
Comment: Irrigation portion covers the lawn and garden use spoke about in Domestic. Recommend diversion rate based on internal use only.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10173 V1

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:
 Water District Number:
 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

Combined Use Limits: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>
Contacts	8/29/2006 4:10:16 PM	mmount			Active
POD	8/29/2006 4:41:29 PM	mmount			Active
Source	8/29/2006 4:42:07 PM	mmount			Active
POU	8/29/2006 4:42:32 PM	mmount			Active
Use	8/29/2006 4:42:56 PM	mmount			Active
Season	8/29/2006 4:44:19 PM	mmount			Active
Quantity	8/29/2006 4:45:24 PM	mmount			Active
Summary			11/16/2006	jdean	Active
Summary			11/27/2007	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	11/16/2006 6:28:20 PM	jdean	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10173 V1

Contacts	8/29/2006 4:10:16 PM	mmount	(No) 1. Do you want to schedule an appointment? Comment for 1: desk review
POU	8/29/2006 3:59:06 PM	mmount	Updated shape for Active POU
POD	8/29/2006 4:00:03 PM	mmount	Updated shape
Season	8/29/2006 4:44:20 PM	mmount	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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?
Quantity	8/29/2006 4:45:24 PM	mmount	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (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? Description for Question 7 - Measurement could not be attained as all the water is piped from the source.
POD	8/29/2006 4:41:29 PM	mmount	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	8/29/2006 4:42:08 PM	mmount	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10173 V1

POU	8/29/2006 4:42:32 PM	mmount	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (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 13 - Field exam
Use	8/29/2006 4:42:56 PM	mmount	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field exam
Summary	11/27/2007 3:46:36 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

SubCase:

SubCase Number: 67-10173
 Class: 1
 SF5 Filed Date:
 Special Master Recom Signed Date:
 Attorney Assigned:
 Adjudication Agent: jdean (N/A)
 Basis of Claim: Beneficial Use
 Date Filed: 8/17/2007 Objection Status: Active

Water Supply Bank:

11/21/2006

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DEC 06 2006

DEPARTMENT OF
WATER RESOURCES

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: December 8, 2006

Water right number: 67-10173

MILDRED D COOPER
2150 SEID CREEK RD
CAMBRIDGE ID 83610
Telephone Number: (208)257-3432

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: 12/2/06 SIGNATURE: Mildred D. Cooper

Please print your name: Mildred D. Cooper

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC 08 2006

67-10173

Mildred D. Cooper

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NOV 21 2006

DEPARTMENT OF
WATER RESOURCES

These are the documents I received from the Weiser Forest Service which I hope will establish my evidence for prior water use on my property. Even though the copies on some of the pages are faint I hope the packet as a whole will prove my claim.

Sincerely,
Mildred D. Cooper

SCANNED

NOV 24 2006

Mildred J. Cooper 67-10173

UNITED STATES DEPARTMENT OF AGRICULTURE—FOREST SERVICE			NAME OF APPLICANT Mildred J. Cooper
SPECIAL USE APPLICATION			DATE OF APPLICATION 11/21/2006
REGION 4	STATE Mississippi	FOREST Pine	RANGER DISTRICT Pine

(Entries above this line will be filled in by the Forest Service)

Application is hereby made for a permit to use National Forest land as indicated below:

1. Description of land: 2.4 acres of National Forest land, including approximately 1.0 acre of private land, for a permit to use National Forest land as indicated below.		
2. Purpose of use: Fenced enclosure to protect water contamination.		
3. Acres of National Forest land to be used: 3		
4. Miles of National Forest land to be occupied (Applicable to road rights-of-way, pipe lines, telephone lines, power lines, etc.):		
5. Number of days that premises will be used each year:		
6. Improvements: a. Description: To be used for a permit to use National Forest land as indicated below.		
b. Approximate cost \$	c. Construction will begin within months	d. Construction will be completed within months
DATE OF APPLICATION	SIGNATURE OF APPLICANT	ADDRESS

REPORT ON APPLICATION
(To be completed by Forest Officer)

- General description of the area and adaptability for the proposed use. Outline area on map on reverse side or on separate map sheet if needed to clarify proposed use.
- Status of the land requested, including description of any improvements or claims on area. If previously under permit indicate former permit date and permittee's name.
- State approximate amount and kinds of timber to be cut, recommended stumpage prices, method of scaling; include recommendation on disposal of merchantable timber (a) to permittee at current damage appraisal or (b) to others than permittee under regular timber sale procedure.
- Recommendations, including any factors which might affect the granting of the permit or future use of the land.
- List on the reverse side any additional conditions which should be made a part of the permit.

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NOV 21 2006

DEPARTMENT OF AGRICULTURE
WATER RESOURCES

REPORT SUBMITTED	DATE	SIGNATURE	TITLE
REPORT APPROVED	DATE	SIGNATURE	TITLE

SCANNED
NOV 7 4 2006

POOR QUALITY ORIGINAL

Mildred D. Cooper

67-10173

AGREEMENT FOR COOPERATIVE WORK
(SEC. 5 OF ACT OF APRIL 24, 1950 - P.L. 478)

THIS AGREEMENT, MADE AND ENTERED INTO THIS _____ DAY OF _____, 1953 BY AND BETWEEN Raymond Richards OF Lawrence, Idaho, HEREINAFTER CALLED THE COOPERATOR, AND THE SUPERVISOR OF THE Boise NATIONAL FOREST, HEREINAFTER REFERRED TO AS THE FOREST SERVICE, WITNESSETH:

WHEREAS, THERE IS NEED FOR a grass water trough building
a bout 90 x 20 feet water and approx 4' x 250
feet of 1 1/2" plastic pipe to supply this trough with
water from a spring located in NE 1/4 NE 1/4 SW 1/4 of
Sec 15 T16 N R4 W B.M.

NOW, THEREFORE, IN CONSIDERATION OF THE NECESSITY FOR SUCH range improve-
ments and development.

FOR THE BENEFIT OF BOTH PARTIES, THE PARTIES HERETO AGREE TO COOPERATE, IN THE MANNER SET FORTH BELOW, IN THE CONSTRUCTION AND/OR MAINTENANCE OF this development.
The Forest Service agrees to supply the trough and
plastic pipe. The operator agrees to supply all labor
required to assemble, install and properly maintain this
development.

AS MORE SPECIFICALLY DESIGNATED ON THE GROUND BY THE FOREST OFFICER IN CHARGE.

THE FOREST SERVICE AGREES TO FURNISH MATERIALS OR FUNDS AS FOLLOWS:

1. water trough with a capacity of approx 90 x 20 feet
approx 250 feet of plastic pipe 1 1/2" diameter in diameter.
PROVIDED SUFFICIENT FUNDS ARE MADE AVAILABLE BY CONGRESS.

J. R. Richards AGREES TO FURNISH _____

AND ALL LABOR NECESSARY TO COMPLETE the proper installation and
proper maintenance of this development.
BETWEEN THE POINTS DESIGNATED AND AGREED UPON WITH THE FOREST OFFICER IN CHARGE.

THE WORK SHALL BE ACCOMPLISHED TO THE FOLLOWING STANDARDS: The water
trough shall be placed on level ground in such a
position that it will not be damaged by snow or frost
and shall be protected by a depth of 5' to 6' from frost or damage
from trampling in the open to livestock.

The maintenance of this installation shall consist
of keeping the trough free of debris and ice so
that it shall contain a maximum amount of water
during the period of use each year. The trough shall be kept
clear of debris and the intake fully open during the
season of use.

SCANNED

NOV-24-2006

POOR QUALITY ORIGINAL

M. Cooper

67-10173

At the completion of the grazing season the trough shall be emptied, the pipe drained and the intake removed from the source of supply.

The permittees whose stock use this water shall be notified by the Bureau when the proper use of the range has been accomplished and the water turned off.

POOR COPY

ORIGINAL

M. Cooper
67-10173

18 The permittee must make adequate water available to stock which use this area.

This shall be done through ^{installation} of a metal trough and elastic pipe supplied by the forest service. A cooperative agreement will be set up whereby the permittee will supply the labor to properly install and maintain the trough and pipe which shall be supplied by the forest service.

19 Trough and pipe installation or maintenance will be subject to inspection by forest officers and become a part of the special use permit.

20 At no time shall the permittee or other livestock be permitted to graze or otherwise use the land within this enclosure.

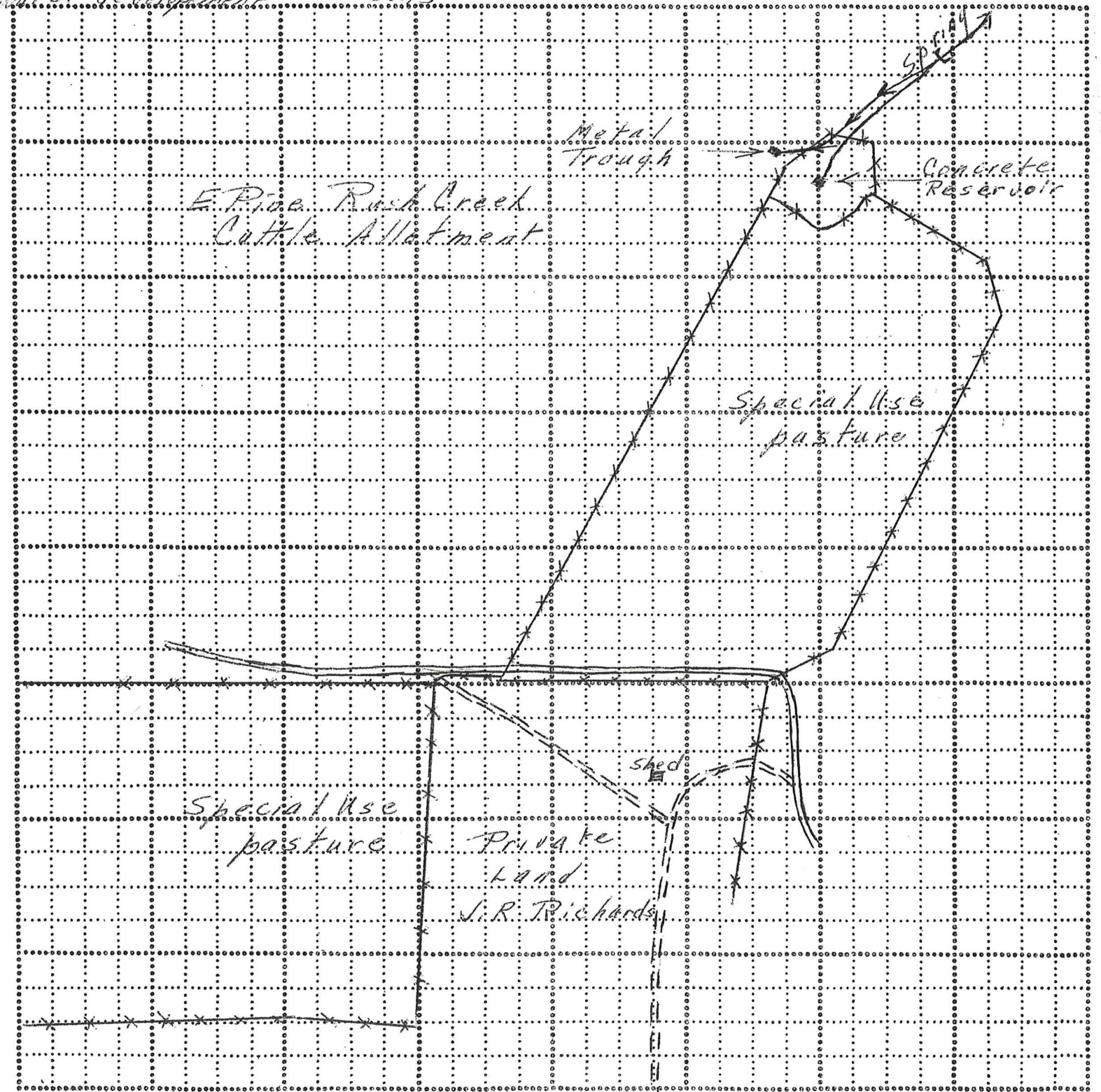
21 This special use shall be paid for at the rate of \$65/acre or \$1/rod of fence enclosing the area which ever is greater or still the same rate.

SCANNED

NOV 24 2006

UNITED STATES DEPARTMENT OF AGRICULTURE—FOREST SERVICE

Rivette N. F. Weiser Land district. Mag. declin. _____ Area _____ acres
(Case designation) NE 1/4 NE 1/4 SW 1/4 T. 16 N R. 4 W Boise Mer. Scale 1/2 inches = 1 mile
(Subdivision and section) Sec 15
Water Telephone _____



Field work by DL Johnson Date 3/12/63 Platted by DL Johnson

Remarks	
---------	--

Approved _____, 19____

SCANNED

NOV 7 4 2006

Approving Officer,

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

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NOV 21 2006

DEPARTMENT OF
WATER RESOURCES

REPLY TO: 2720 Special Use Permits

September 13, 1972

SUBJECT: J.R. Richards



TO: Forest Supervisor

Enclosed are three copies of a Relinquishment and Application form and an Environmental Analysis Report for the proposal.

We recommend issuance of an annual special use permit for the spring development, pipeline, and protective fence around the spring.

TERRY B. RANDOLPH

TERRY B. RANDOLPH
District Ranger

Enclosures

TBR:bw

67-10173

Mildred D. Cooper

SCANNED
NOV 7 4 2006

Mildred D. Cooper 67-10173

I. DESCRIPTION

A special use permit was issued to Mr. Claude M. Taylor in 1951 for five acres for a special use pasture. The permit was re-issued to Mr. J.R. Richards on June 10, 1957 for 2½ acres of pasture and 2½ acres to be cultivated for the growing of hay. In 1963, Mr. Richards improved the spring development, fenced the spring, and installed a water trough for use by cattle grazing the East Pine-Rush Creek Cattle Allotment. This area joined Richard's Private land to the south.

The area lies in the NE¼ SW¼, Sec. 15, T.16N., R.4W., Washington County, Idaho. The area is in the Intermediate Multiple Use Zone in the Seid Creek drainage. The area concerned is entirely National Forest lands.

It is proposed that a new permit be issued only for the use of the spring development, a buried pipeline, and that fence necessary to protect the spring from damage by cattle. The pasture land and cultivated land should be eliminated from permit and returned to normal National Forest status. When the area was originally fenced, it caused a management problem as the Rush Creek-East Pine Creek allotment cattle previously grazed and watered in this area. The construction of a water trough for these cattle reduced, but didn't eliminate the problem. The cow continue to bunch up against this fence and overgraze this corner of the allotment annually. Elimination of this fenced pasture will permit unrestricted access to the remainder of the allotment.

The applicant is agreeable to this change. He wants to retain the water development and Transmission line to irrigate his Private land below the Forest boundary.

II. ENVIRONMENTAL IMPACTS

This proposal should reduce the heavy grazing and there should be no adverse impacts with this proposal.

III. FAVORABLE ENVIRONMENTAL EFFECTS

- A. Project will permit better cattle distribution.
- B. Project should eliminate a management problem.
- C. Project will release land for full Multiple Use Management.
- D. Project will permit irrigation of Private ranch land.

M. Cooper
67-10173

-2-

IV. ADVERSE ENVIRONMENTAL EFFECTS

None anticipated.

V. ALTERNATIVES

- A. Issue permit for both water development and pasture.
- B. Do not issue permit for any use.

VI. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

The greatest share of the water will be obligated for irrigation with lesser amounts for grazing, wildlife, and for maintenance of existing plant life.

VII. CONSULTATION WITH OTHERS

Proposal has been discussed with applicant and he concurs.

IX. MANAGEMENT REQUIREMENTS AND CONSTRAINTS

1. Approve the report and issue an annual special use permit for the spring development, buried pipeline, and the fence protecting the spring.
2. Remove pasture fence on National Forest lands.
3. Retain sufficient water for livestock and wildlife needs.
4. Maintain sufficient flow in channel to maintain existing water loving vegetation.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10173 V1

WATER RIGHT NUMBER: 67-10173 V1

Owner Type Name and Address
 Current Owner MILDRED D COOPER
 2150 SEID CREEK RD
 CAMBRIDGE, ID 83610
 (208)257-3432

Priority Date: 03/01/1895

Basis: Beneficial Use

Status: **Disallowed**

Source Tributary
 SPRING SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.400 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.460 CFS	

Location of Point(s) of Diversion

SPRING NE1/4SW1/4 Sec. 15, Twp 16N, Rge 04W, B.M.
 WASHINGTON 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	
16N 04W 15									8.0	12.0							20.0

Total Acres: 20

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N 04W 15									X	X							

DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10173 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16N 04W 15									X								

Conditions of Approval:

1. P01 No lawful appropriation shown.
2. P11 No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

Remarks:Comments:

1. mmount 8/29/2006 pou

Comment: The shape does not specify which 20 acres, the tax lot is only 22 acres and domestic, stockwater and irrigation were all claimed. Only 20 acres are recommended somewhere within shape.

2. mmount 8/29/2006 priority

Comment: Spoke with claimant about eop, she said she will work on providing some type of evidence.

3. jdean 11/16/2006 Disallowed

Comment: Evidence of Priority requested 8/17/06 at field exam, 67 mass mailing. No EOP received. Disallowed.

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:

Water District Number:

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

Combined Use Limits:Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	8/29/2006 4:10:16 PM	mmount			Disallowed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10173 V1

POD	8/29/2006 4:41:29 PM	mmount	Disallowed
Source	8/29/2006 4:42:07 PM	mmount	Disallowed
POU	8/29/2006 4:42:32 PM	mmount	Disallowed
Use	8/29/2006 4:42:56 PM	mmount	Disallowed
Season	8/29/2006 4:44:19 PM	mmount	Disallowed
Quantity	8/29/2006 4:45:24 PM	mmount	Disallowed
Summary	11/16/2006	jdean	Disallowed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	11/16/2006 6:28:20 PM	jdean	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	8/29/2006 4:10:16 PM	mmount	(No) 1. Do you want to schedule an appointment? Comment for 1: desk review
POU	8/29/2006 3:59:06 PM	mmount	Updated shape for Active POU
POD	8/29/2006 4:00:03 PM	mmount	Updated shape
Season	8/29/2006 4:44:20 PM	mmount	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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 67-10173 V1

Quantity	8/29/2006 4:45:24 PM	mmount	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (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? Description for Question 7 - Measurement could not be attained as all the water is piped from the source.
POD	8/29/2006 4:41:29 PM	mmount	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	8/29/2006 4:42:08 PM	mmount	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (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
POU	8/29/2006 4:42:32 PM	mmount	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (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 13 - Field exam

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10173 V1

Use	8/29/2006 4:42:56 PM	mmount	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field exam
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Water Supply Bank:

11/16/2006

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

RIGHT NUMBER: 67-10173

NAME AND ADDRESS: MILDRED D COOPER
2150 SEID CREEK RD
CAMBRIDGE ID 83610

SOURCE:

TRIBUTARY:

QUANTITY:

PRIORITY DATE:

POINT OF DIVERSION:

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

PLACE OF USE: IRRIGATION in WASHINGTON County

STOCKWATER in WASHINGTON County

DOMESTIC in WASHINGTON County

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

No lawful appropriation shown.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.



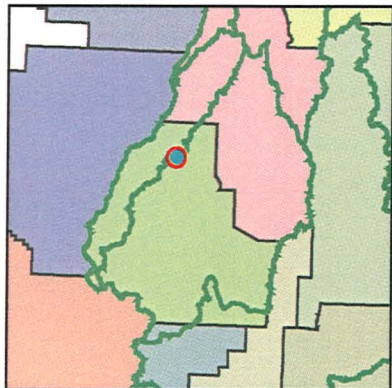
Idaho Department of Water Resources

SRBA Recommendation:

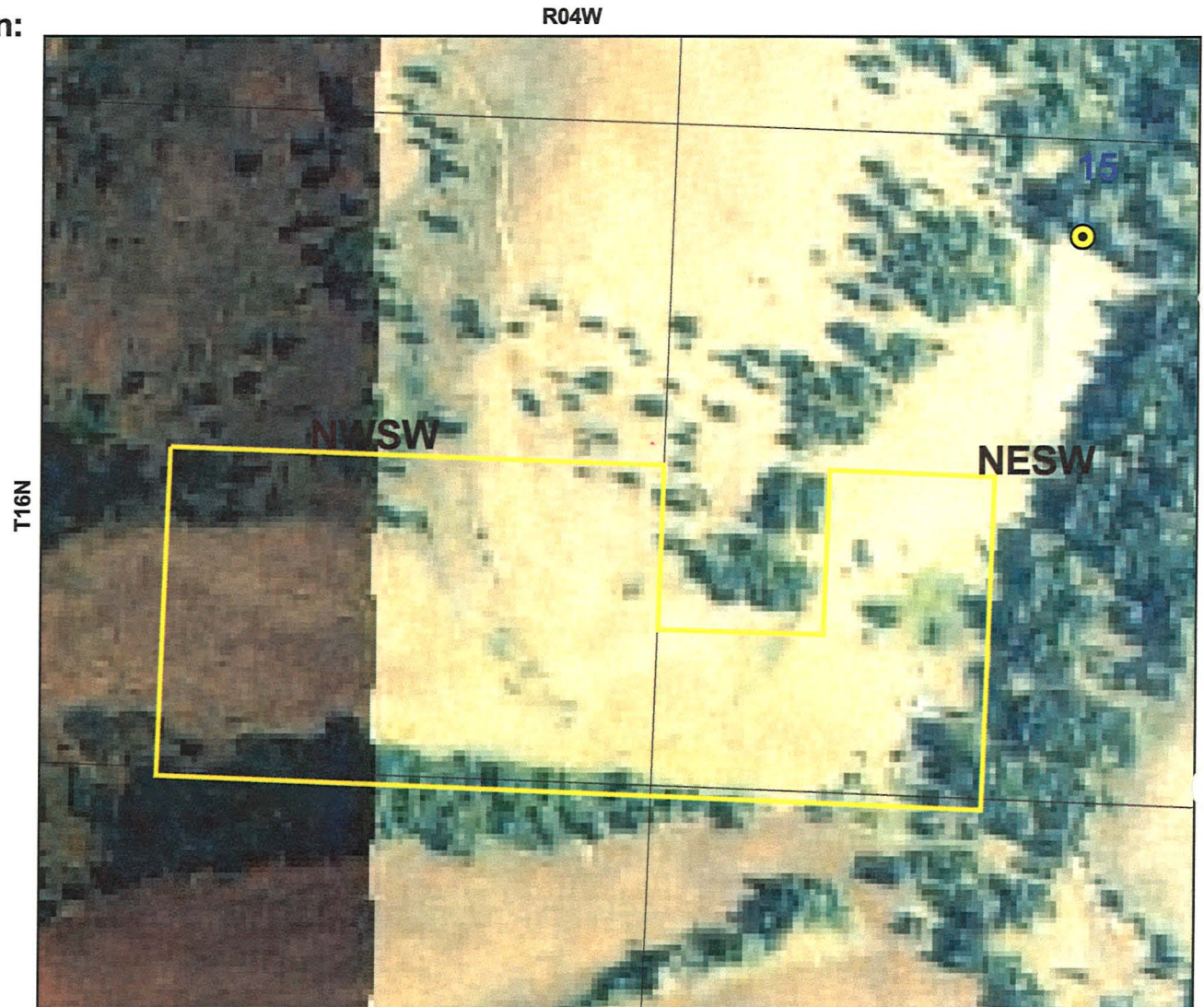
67-10173

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by M. Mount
On Tuesday, August 29, 2006
1987/88 Aerial Photography

State of Idaho
Department of Water Resources
Adjudication Section
Claim Verification Field Exam Sheet

CLAIM NO(s): 67-10173

1 ☒ No Change NAME IS SAME

☐ NEW OWNER _____

☒ No Change ADDRESS

☐ NEW ADDRESS _____

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.

** spoke w/ claimant abt 7/25 - she is looking into it*

Priority date, per claimant is: _____
(If this date seems questionable, explain below)

3 ☒ No Change ---SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4 ☒ No Change --- POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: NOT tagged - on 6/15 is called 67-10173 3

Township	Range	Section	1/4's	
Township	Range	Section	1/4's	

5 ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

6 ☒ No Change - WATER USES

☐ Different uses, (list uses found):

Use _____ From _____ To _____ CFS _____ AFA _____

Use _____ From _____ To _____ CFS _____ AFA _____

Use _____ From _____ To _____ 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's	
Use:	Township	Range	Section	1/4's	
Use:	Township	Range	Section	1/4's	
Use:	Township	Range	Section	1/4's	

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

See attached document

☐ SYSTEM DIAGRAM INCLUDED

☒ Shown on GIS layout

☐ IN OFFICE EXAM

DATE EXAM CONDUCTED 8-17-06

FIELD EXAMINER: MM, JLD

↑ N

spring
#1

house

pond

spring

67-10173

There are 2 springs - 1 is on ^(Payette) Forest Service Land and the other is on her property just S.E. of her house - and it feeds into a pond.

The 1st spring mentioned is claimed on 10173 - it collects in a collection tank and is piped underground to her property which she uses for irrigation, domestic and stockwater.

~~Not~~ Not knowing for sure if the pond had been claimed on ~~10172~~ 10172 we took measurements. She said that when ~~the~~ the water level is high enough it flows out the overflow ditch & also subs out to her land below the pond. Measurements are attached.

Did not tag either spring

GPS pts - spring on F.S. land = 67-10173 S
 spring on Mildred's land = 67-10173-1

COOKO: 2271479
1506232

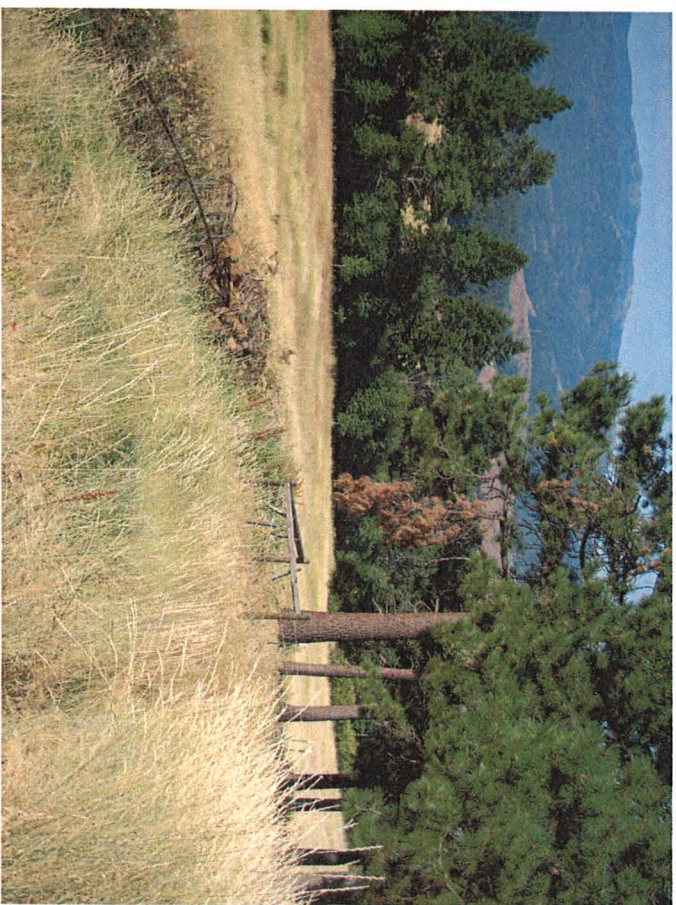
- The cows that graze her land are not her's - they come down from Forest Service land - she lets them in.
- The overflow from the spring on the F.S. land is piped to a small nearby stream.
- The spring water is piped to 5 hydrants which are set to low pressure



Collection box for spring - which is
piped to house and hydrants for
dom, stock, irrig. uses.



View of land below pond



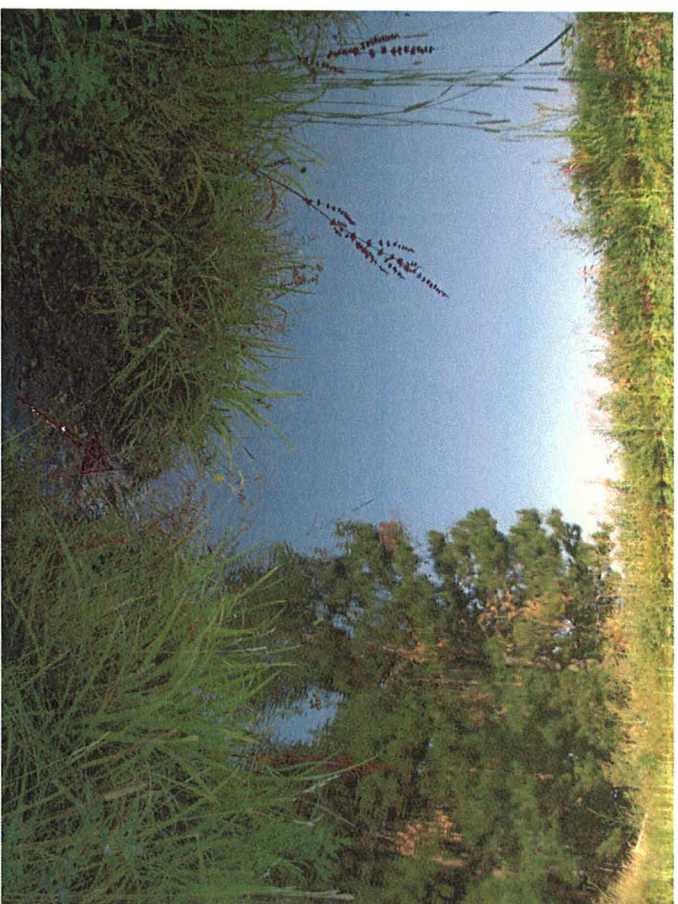
View of over-flow ditch from pond
and land below pond.



→ overflow ditch from pond



View of pond + guesthouse

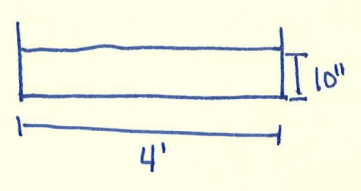


Spring with View of pond



View of second spring that feeds pond

Mannings Equation for Outflow ditch:



From field exam - relatively steep side-slopes so okay to use a rectangle.

Slope came from topo map of the area.

Decided to use $\frac{1}{2}$ of slope value because outlet was graded differently than natural slopes.

$$Q = A \left(\frac{1.486}{n} \right) (R^{2/3}) (S^{1/2})$$

$$A = 4 \times \frac{10}{2} = 3.33 \text{ ft}^2$$

$$P = 4' + 2\left(\frac{10}{2}\right) = 5.67 \text{ ft}$$

$$R = A/P = 3.33 \text{ ft}^2 / 5.67 \text{ ft} = 0.5882 \text{ ft}$$

$$S = 40/285 = 0.14 \text{ ft/ft}$$

$$S/2 = 0.07 \text{ ft/ft}$$

$$n = (n_0 + n_1 + n_2 + n_3) m$$

$$n_0 = 0.020 \text{ for earth}$$

$$n_1 = 0.005 \text{ for minor irregularity}$$

$$n_2 = 0.015 \text{ for minor obstruction}$$

$$n_3 = 0.05 \text{ for high vegetation}$$

$$m = 1 \text{ for minor meandering}$$

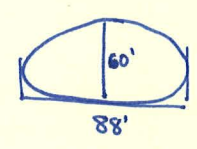
$$n = (0.02 + 0.005 + 0.015 + 0.05) 1 = 0.09$$

$$Q = 3.33 \left(\frac{1.486}{0.09} \right) (0.59)^{2/3} (\frac{0.07}{0.14})^{1/2} = 10.23 \text{ cfs}$$

Measurement of Pond

Surface area

-based upon shape use oval



Depth = 6'

$$A = \pi \cdot a \cdot b$$

$$2a = 88'$$

$$2b = 60'$$

$$A = \pi \cdot 44 \cdot 30 = 4146.9 \text{ ft}^2$$

$$A = \frac{4146.9}{43560} = 0.095 \text{ acres}$$

Using estimate for V-shaped pond:

$$\text{Capacity} = A * D * 0.4 = 0.095 \text{ acres} * 6 \text{ ft} * 0.4 = 0.23 \text{ acre-ft.}$$

AJ0749NP
No. A67-10173

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/05/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MILDRED COOPER 2150 SEID CREEK RD CAMBRIDGE ID 83610 (208) 257-3432	03/01/1895	IRRIGATION STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31 01-01 12-31	0.400 CFS 0.020 CFS 0.040 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.460 CFS	60.00 AFA

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion: T16N R04W S15 NESW

WASHINGTON 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	:	---
16N	04W	15	:					:					:		08		12		:					:	20.0	
																							TOTAL ACRES	:	20.0	

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:			
---	---	---	---	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
16N	04W	15	:					:					:		S		S		:					:		

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:			
---	---	---	---	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
16N	04W	15	:					:					:		D				:					:		

POU County: WASHINGTON

Non-Irrigation Uses: D/1 HOUSEHOLD W/LAWN & GARDEN OF 1/2 ACRE, S/15 HEAD MIXED

Other Rights: A67-10172 DIFFERENT SPRING FOR SAME HOME AND STOCK.

Remarks: GEN PART OF OLD ALLISON MILK RANCH.

ADDRESS CHANGE BY CLAIMANT LETTER 5/5/99 SS.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

SCANNED
APR 08 2004

Notice to Mailer of Correction in Address

Addressee's Account Number (All numbers, dates, and letters)

62-10172, A67-10173

☐ No account number on mail

☐ Account number illegible

Addressee's Name

Mildred Cooper

Old Address (Include apartment or suite number)

City, State, and ZIP Code

46169 Box 3720

Cambridge, Ia 83610

New Address (Include apartment or suite number)

City, State, and ZIP Code

2150 Seid Creek

Cambridge, Ia 83610

This card is furnished: ☒ For address correction, as requested (your mailpiece was forwarded).

☐ In place of Form 3579 (see reason for nondelivery below).

The address portion of your mailpiece was not readily detachable. Reason for nondelivery:

☐ Moved, left no address

☐ No such street

☐ No such number

☐ Refused

☐ Attempted, not known

☐ Unclaimed

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: **A67-10173**
Date Received: 9/12/1989
Receipt No: W005906
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MILDRED COOPER
Address: 2150 SEID CREEK RD
CAMBRIDGE ID

208-257-3432

83610

2. Date of Priority: MAR 1, 1895

3. Source: SPRING

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	04W	15		NE	SW		WASHINGTON

5. Description of diverting works:
IN GROUND COLLECTION TANK, PIPE TO POINT OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		
IRRIGATION	01/01	12/31	0.400		

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

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD W/LAWN & GARDEN OF 1/2 ACRE, S/15 HEAD MIXED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	04W	15	NE	SW		DOMEST	
			NE	SW		STOCK	

**SCANNED
APR 08 2004**

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16N	04W	15	NE		SW		IRR	8.0
			NW		SW		STOCK	
			NW		SW		IRR	12.0
							Section Acres	20.0
							Total Acres	20.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

A67-10172 DIFFERENT SPRING FOR SAME HOME AND STOCK.

14. Remarks:

PART OF OLD ALLISON MILK RANCH.

|

ADDRESS CHANGE BY CLAIMANT LETTER 5/5/99 SS.

15. Basis of Claim: BENEFICIAL USE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

MAY - 5 1999

Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

April 29, 1999

KARL J. DREHER
DIRECTOR

MILDRED COOPER
2150 SEID CREEK Rd.
CAMBRIDGE ID 83610

Re: Snake River Basin Adjudication (SRBA)
Water Rights #67-10172 & A67-10173
Change of Address

*Records changed, NCAP prepared,
m 5-5-99*

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by May 17, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Mildred Cooper
Claimant Signature

257-3432
Telephone No.

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: A67-10173
Date Received: 9/12/1989
Receipt No: W005906
Received By: DE JAH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MILDRED COOPER 208-257-3432
Address: HC 69 BOX 3720
CAMBRIDGE, ID 83610

2. Date of Priority: MAR 01, 1895

3. Source: UNNAMED SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	04W	15	NE	SW			WASHINGTON

5. Description of diverting works:
IN GROUND COLLECTION TANK, PIPE TO POINT OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		
IRRIGATION	01/01	12/31	0.400		

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

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD W/LAWN & GARDEN OF 1/2 ACRE, S/15 HEAD MIXED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	04W	15	NE	SW		DOMEST	

A67-10173

Page 1

Date: 09/19/89

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16N	04W	15	NE		SW		STOCK	
			NE		SW		IRR	8.0
			NW		SW		STOCK	
			NW		SW		IRR	12.0
							Section Acres	20.0
							Total Acres	20.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

A67-10172 DIFFERENT SPRING FOR SAME HOME AND STOCK.

14. Remarks:

PART OF OLD ALLISON MILK RANCH.

15. Basis of Claim: BENEFICIAL USE

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 _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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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 A67-10173
Date Received 9/12/89 82
Receipt Number W005906

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Mildred Cooper Phone (208) 257-3432

Mailing Address H.C. 69 Box 3720, Cambridge Zip 83610

2. Date of Priority (Only one (1) per claim) MARCH 1, 1895

3. Source of water supply (a) Unnamed Springs
which is tributary to (b) Sinks

4. a. Location of existing point of diversion is: Township 16N Range 4W Section 15,
SE 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Washington

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. In ground collection drains
via 1 1/2" pipe to 1200 gallon storage TANK 1 1/2" pipe
connects TANK to ~~household use~~ Domestic use point,
other lines for irrigation & stock water

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1/1 to 12/31 amount .04 or _____

For Stockwater purposes from 1/1 to 12/31 amount .02 or _____

For Irrigation purposes from 3/15 to 11/15 amount .40 or _____

For _____ purposes from _____ to _____ amount .46 or _____

7. Total quantity claimed (a) .04 .46 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 60 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic: 1 household + lawn - Garden of 1/2 ac.

Stock: 15 hds. mixed

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic)

in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>16N</u>	<u>4W</u>	<u>15</u>									<u>D</u>	<u>S</u>							
		<u>15</u>									<u>S</u>	<u>12</u>							<u>20</u>
		<u>15</u>									<u>8</u>								

Total number of acres irrigated 20

11. In which county (ies) are lands listed above as place of use located? Washington

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

A67-10172 different spring for same home & stock or None ()

14. Remarks: Part of old Allison milk ranch.

Last Name Cooper Ident No. A67-10173

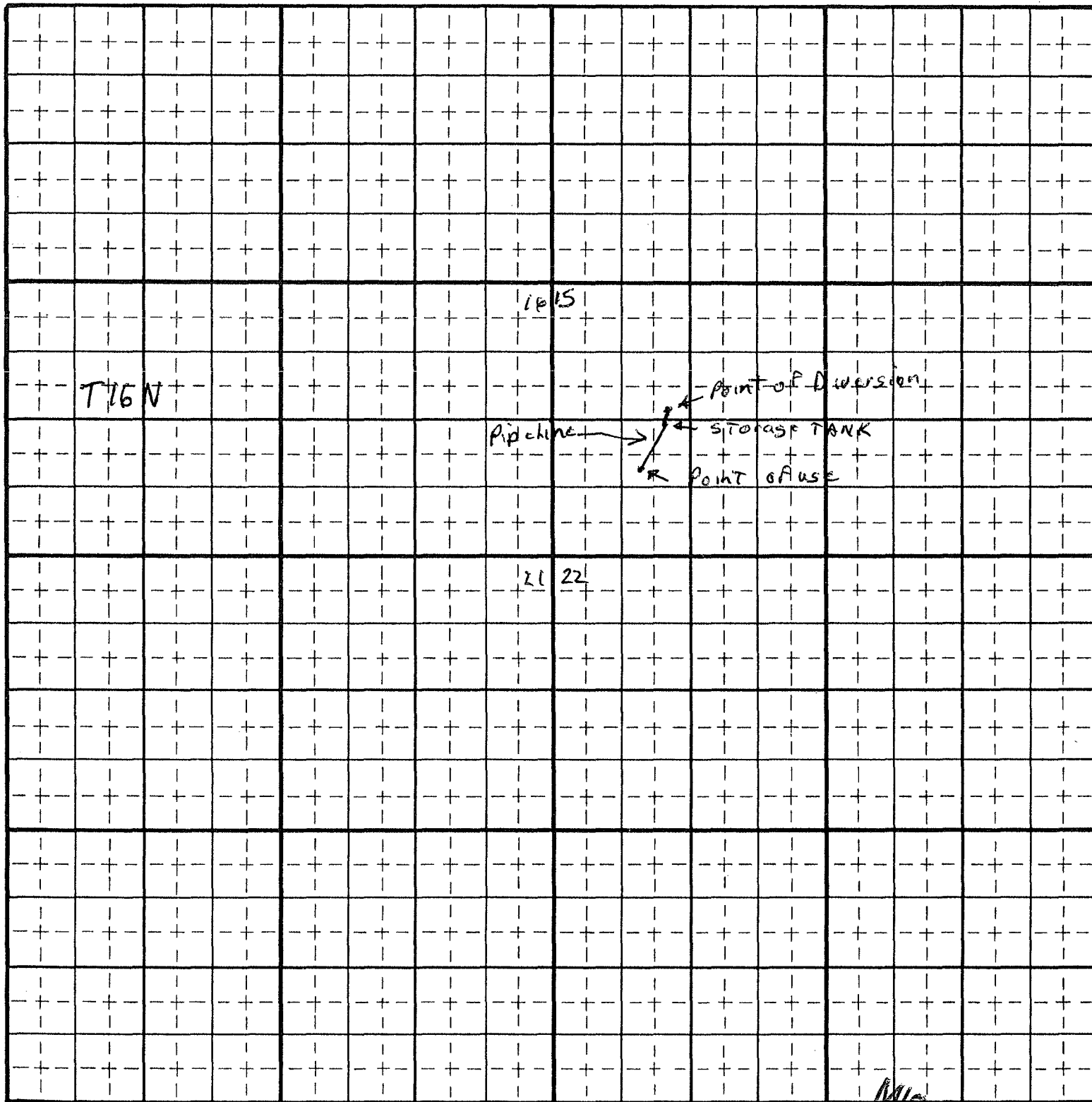
Copies: White -State, Yellow-Claimant

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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

*See attached map for correct
R4E W p1d & p1u*



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Last Name Cooper

Ident No. A67-10173

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) x Mildred D. Cooper Date x Sep. 12, 1989

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12 day of September 19 89

SEAL

Notary Public Keri Harris

Residing at Boise, Idaho

My Commission Expires 12-8-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Cooper Ident. Number A67-10173

Copies White-State, Yellow-Claimant

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PAYETTE

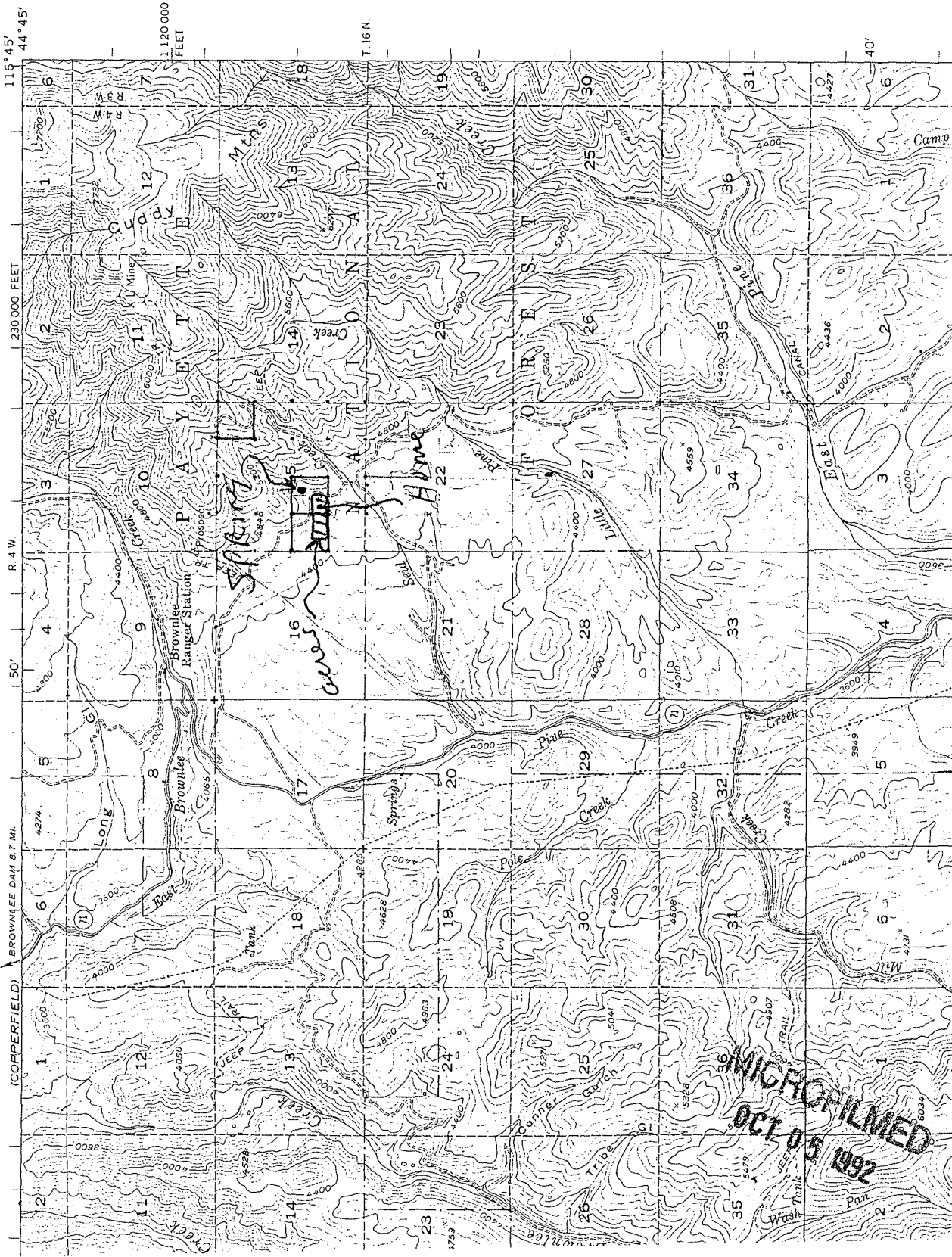
STURGILL PEAK QUADRANGLE
IDAHO-WASHINGTON CO.
15 MINUTE SERIES (TOPOGRAPHIC)

(COPPERFIELD) BROWNLEE DAM 8.7 MI. 150' R. 4 W. 230000 FEET 116°45' 44°45'

A67-10173

T16N
R4W
S15

Cooper



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