

11/14/2006

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: December 8, 2006

Water right number: 67-11489

DAVID F LAWRENCE
PO BOX 445
COUNCIL ID 83612

VONDA LAWRENCE
PO BOX 445
COUNCIL ID 83612
Telephone Number: (208)253-4200

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:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-29-06 SIGNATURE: 
Please print your name: DAVID F LAWRENCE

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

SCANNED
DEC 11 2006

12/20/2005

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

RIGHT NUMBER: 67-11489
NAME AND ADDRESS: DAVID F LAWRENCE
PO BOX 445
COUNCIL ID 83612

VONDA LAWRENCE
PO BOX 445
COUNCIL ID 83612

SOURCE: COOL CREEK TRIBUTARY: WEISER RIVER
QUANTITY: 0.400 CFS
PRIORITY DATE: 06/05/1902
POINT OF DIVERSION:

T16N R01W S23 NWNENE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.400 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T16N R01W S14	NESW	6.0	T16N R01W S14	NWSW	3.1
T16N R01W S14	SWSW	3.5	T16N R01W S14	SESW	7.4

20 ACRES TOTAL

Right Nos. 67-11489 and 67-14486 are limited to the irrigation of a combined total of 32.5 acres in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 48.5 acres in a single irrigation season. Combined Right Nos.: 67-11488, 67-11489, & 67-14486.

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



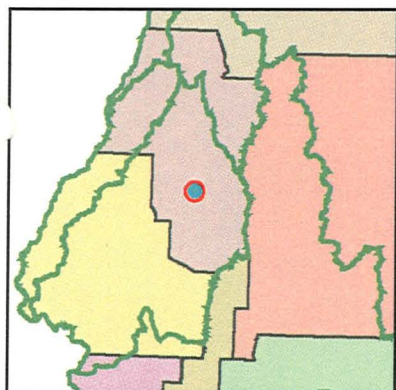
Idaho Department of Water Resources

Adjudication Claim Number: **67-11489**

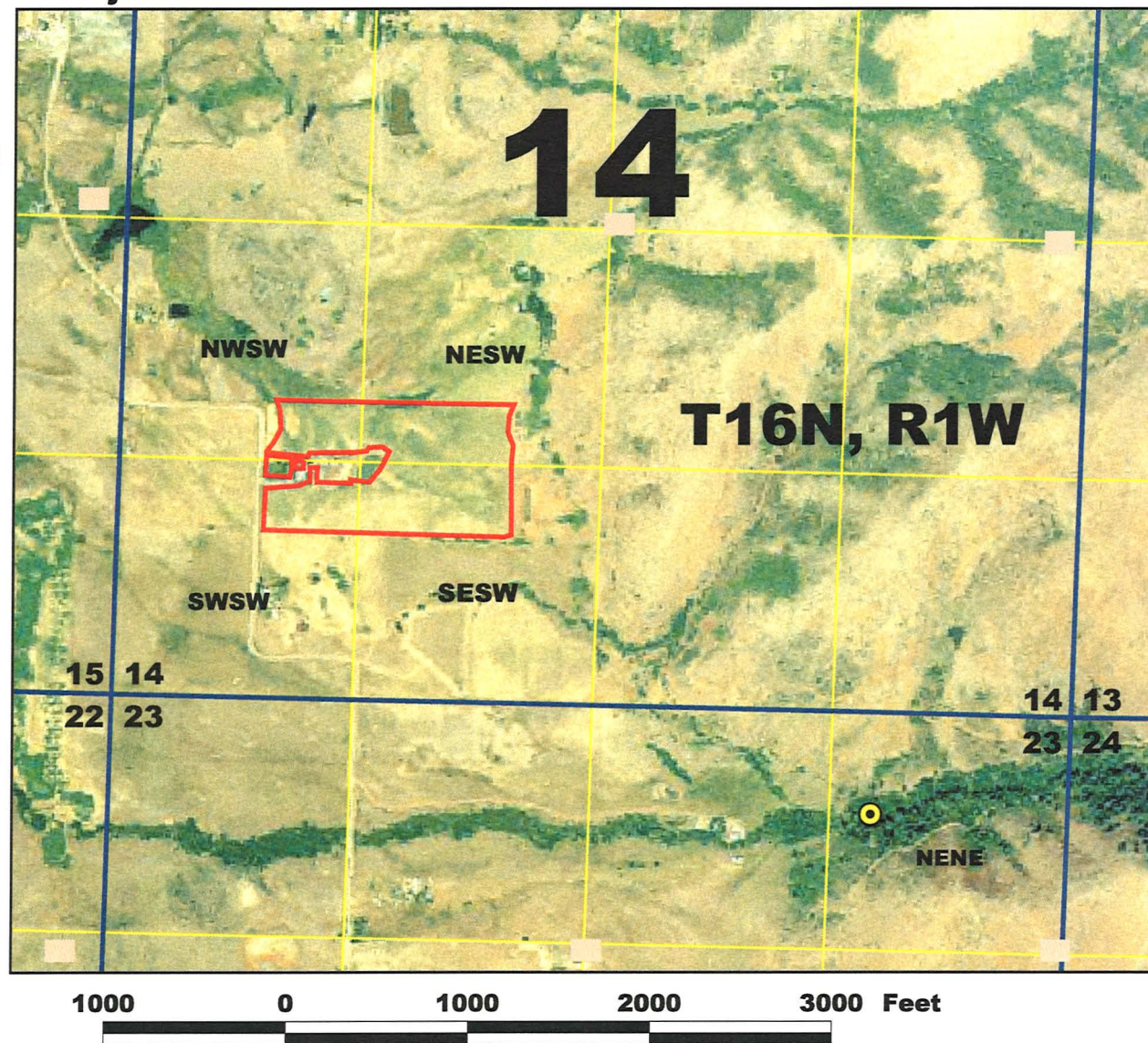
T16N R01W

Legend

-  Point of Diversion
-  Place of Use
-  B67 sections.shp
-  T16n01w.shp



Adams County
IDWR Basin 67



Prepared by C. Saxton
On Tuesday, December 20, 2005
1987 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11489 V1

WATER RIGHT NUMBER: 67-11489 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAVID F LAWRENCE PO BOX 445 COUNCIL, ID 83612
Original Owner	MARGARET JENKINS PO BOX 185 COUNCIL, ID 83612 (208)253-4782
Current Owner	VONDA LAWRENCE PO BOX 445 COUNCIL, ID 83612 (208)253-4200
Original Owner	NELLO W JENKINS PO BOX 185 COUNCIL, ID 83612 (208)253-4782

Priority Date: 06/05/1902

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
COOL CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.400 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

Location of Point(s) of Diversion

COOL CREEK	NW1/4NE1/4NE1/4	Sec. 23, Twp 16N, Rge 01W, B.M.
ADAMS 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	01W	14									6.0	3.1	3.5	7.4					20.0

Total Acres: 20

Conditions of Approval:

1. E55 Right Nos. 67-11489 and 67-14486 are limited to the irrigation of a combined total of 32.5 acres in a single irrigation season.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11489 V1

2. E56 The rights listed below are limited to the irrigation of a combined total of 48.5 acres in a single irrigation season. Combined Right Nos.: 67-11488, 67-11489, & 67-14486.
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:Comments:

1. csaxton 12/20/2005 Diversion Rate

Comment: Field Exam by Bosco Bosler on 8-9-05 verified diversion rate stating that the diversion could divert a total of 50 inches.

2. csaxton 12/20/2005 Posted Notice

Comment: Posted notice is for Haslen Creek which is now known as Cool Creek. Cool Creek was not included in the Muir vs. Allison decree.

3. csaxton 12/20/2005 Priority Date

Comment: Legal staff concurred that the posted notice looks valid and can be used as EOP

4. csaxton 12/20/2005 From Claim

Comment: THIS CLAIM IS FOR FLOOD WATER ONLY - USED PRIOR TO WHEN THE SORENSON-RINEHART DITCH CO. BEGINS DIVERTING FROM THE NORTH FORK COTTONWOOD CREEK INTO COOL CREEK IN THE SPRING. OWNERSHIP CHANGED BY LH 11/9/95.

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	12/20/2005 4:43:32 PM	csaxton			Active
Priority Date	12/20/2005 4:44:01 PM	csaxton			Active
POD	12/20/2005 4:44:10 PM	csaxton			Active
Source	12/20/2005 4:48:42 PM	csaxton			Active
POU	12/20/2005 4:49:19 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11489 V1

Use	12/20/2005 4:50:24 PM	csaxton	Active
Season	12/20/2005 4:50:47 PM	csaxton	Active
Quantity	12/20/2005 4:51:39 PM	csaxton	Active
Summary	12/20/2005	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	12/20/2005 4:49:06 PM	csaxton	Updated shape
POU	12/20/2005 4:50:31 PM	csaxton	Updated shape for Active POU
Contacts	12/20/2005 4:44:26 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam by Bosco Bosler on 8/4/05.
POD	12/20/2005 4:45:04 PM	csaxton	(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?
POD	12/20/2005 4:49:16 PM	csaxton	Updated PLS
General	12/20/2005 4:44:55 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (Yes) 8. Is the basis of claim a posted notice? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Source	12/20/2005 4:49:36 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (Yes) 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 by Bosco Bosler on 8/4/05.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11489 V1

POU	12/20/2005 4:50:14 PM	csaxton	(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? (Yes) 14. Is a POU remark and/or condition required? Description for Question 13 - Field Exam by Bosco Bosler on 8/4/05 and aerial photography.
POU	12/20/2005 4:50:41 PM	csaxton	Updated PLS for Active POU
Use	12/20/2005 4:51:19 PM	csaxton	(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 by Bosco Bosler on 8/4/05.
Season	12/20/2005 4:51:41 PM	csaxton	(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	12/20/2005 4:52:34 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (Yes) 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 - Field Exam by Bosco Bosler on 8/4/05. Capacity of diversion works verified to be 50 inches.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11489 V1

Summary	12/20/2005 4:55:09 PM	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. Does this right have any combined use limits with other rights? (Yes) 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?
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Water Supply Bank:

Claim

Basin	Sequence	Suffi	Basis	Status	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	4529		Statutory	Withdrawn	12/26/1900	0.18		SPRING	IRRIGATION, S	LAWRENCE, DAV	Claim
67	11488		Beneficial	Active	6/5/1902	0.8	40	COOL CR	IRRIGATION	LAWRENCE, DAV	Claim
67	11489		Beneficial	Active	6/5/1902	0.4	20	COOL CR	IRRIGATION	LAWRENCE, DAV	Claim
67	14486		Beneficial	Active	6/20/1952	0.36	16	COOL CR	IRRIGATION, S	CAIRNS, TERRY	Claim

Recommendation

Basin	Sequence	Suffi	Basis	Status	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	11488		Beneficial	Active	6/5/1902	0.4	20	COOL CR	IRRIGATION	LAWRENCE, DAV	Recommendation
67	11489		Beneficial	Active	6/5/1902	0.4	20	COOL CR	IRRIGATION	LAWRENCE, DAV	Recommendation
67	14486		Beneficial	Active	6/20/1952	0.054	16	COOL CR	IRRIGATION, S	CAIRNS, TERRY	Recommendation
Total =						0.854	48.5				

67	4152		Decreed	Active	6/20/1950	0.14		SPRINGS	DOMESTIC, ST	DE HAAS, HELEN	wrWaterRight
67	10144		Decreed	Active	6/30/1977	0.04		GROUND	DOMESTIC	LAWRENCE, DAV	wrWaterRight
67	10145		Decreed	Active	6/30/1948	0.02		SPRING	STOCKWATER	LAWRENCE, DAV	wrWaterRight

Partially Decreed

Non active status

Ready to Recommend

Split Analysis

Water Right Number: Lawrence et all
 Diversion Rate: CFS
 Reviewer Name: Craig L. Saxton
 Date: 12/20/2005

Acreage Analysis

[illegible]

CONVERSATIONAL MEMORANDUM

Date: September 10, 2005

To: File 67-11488 and 11489

From: Craig L. Saxton

Subject: Evidence of priority

David Lawrence (253-4200). He received an EOP request letter and wanted to know what was going on since Bosco Bosler and Chris Bromley had been working on it for a while now. I said I would look into it and see what is going on.

I have e-mails from Chris Bromley saying that the posted notice is good and that we can use that as evidence of priority. Mr. Lawrence send me a copy of the posted notice so I have it in the file. I called Mr. Lawrence back and told him that all looks good and he doesn't have to worry about providing any more information. I told him that I would give him a call if we needed anything else.

ADAMS COUNTY
PO BOX 48
COUNCIL, ID 83612

facsimile transmittal

To: CRAIG SAXTON From: DAVID LAWRENCE

Fax: 287-4800

Date:

Re:

6700

Pages:

CC:

☐ Urgent

☐ For Review

☐ Please Comment

☐ Please Reply

☐ Please Recycle

Notes:

(Water Rights-1-335-)

Notice is hereby given that I the undersigned do hereby locate and claim all the water (100 inches more or less) flowing in this creek and known as Haslan Creek and situated on the NE $\frac{1}{4}$ of SEC 23 of T 16_R 1 W. Said water is to be conducted from said creek by means of a ditch running in a Northwesterly direction a distance of about $\frac{1}{4}$ mile and on to the SW $\frac{1}{4}$ of Sec 14 of T 16_of Range 1 West of Boise Meridian. Said water to be used on above described land for irrigating and domestic purposes.

Dated at Council Valley, Washington County, this___ day of April 1894.

Olof Sorenson

Filed April 9th 1894 at 5 P M at request of Locator

Fee \$1.00

I F Smith

Ex-Officio County Recorder

(Water Rights-1-336-)

Notice: June 29th 1894. I the undersigned claim the water flowing in Martin Creek to the extent of 160 inches, measured under a four inch pressure. To be used for the purpose of irrigating Southwest $\frac{1}{4}$ Section 31 Township 20 North Range 2 East. Water diverted into a ditch 12 inches deep and 20 inches wide. The point of diversion being $1\frac{1}{2}$ miles from the mouth of the creek. This water was appropriated May the first 1889.

NOTICE OF LOCATION OF WATER RIGHT

NOTICE IS HEREBY GIVEN : That we, the undersigned, do hereby locate and claim all the water (100) inches, more or less, flowing in this Creek and known as Harlon Creek and situated on the NE $\frac{1}{4}$ of Sec. 23, and T. 16, R. 1 W.

Said Water to be conducted from said Creek by means of a ditch running in a Northwesterly direction a distance of 1/4 mile unto the SW $\frac{1}{4}$ of Sec. 14 and T. 16, R. 1 W. of Boise Meridian and S $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 15 and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 23 and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, all in T. 16, R. 1 W.

Said water to be used on the above described land for irrigation and domestic purposes.

Dated at Council, Washington County, Idaho, December 26th, 1900

Olof Sorenson

Morgan P. Gifford

Filed for record December 29th, 1900.

this is a copy of

By J. F. Clabby, Sec.
Bonded Abstracter.

FLB 37

Contacts Data Entry Form

Claim Number: 67-11489

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	DAVID F LAWRENCE	PO BOX 445	COUNCIL	ID	83612	
Original Owner	MARGARET JENKINS	PO BOX 185	COUNCIL	ID	83612	(208)253-4782
Current Owner	VONDA LAWRENCE	PO BOX 445	COUNCIL	ID	83612	(208)253-4200
Original Owner	NELLO W JENKINS	PO BOX 185	COUNCIL	ID	83612	(208)253-4782

Date of Field Exam: 8/4/05 Time: 8:00Accompanied By: Claimant Lawrence Phone Number: 253 4200

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: Beno BordeDate: 8/4/05

Priority Date Data Entry Form

Claim Number 67-11489

Claimed Priority Date: 6/5/1902

Claimed Basis: Beneficial Use

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date ____

Recommended Basis _____

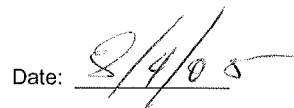
Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

As Cool, Haslam, or Faust Creek cannot be found in last decree & claimant has copied papers from WR book from court house, I recommend claimed priority.

Reviewer:



Date:



Point of Diversion and Source Data Entry Form

Claim Number 67-11489

Claimed Point of Diversion and Source

T16N R01W S23 NENWNE Within ADAMS County Source: COOL CREEK WEISER RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Cool Creek

Tributary To

Weiser River

Twp

Rge

Sec

Gov Lot

QQQ of QQ of Q

County

Source

Other rights from this POD? 67-11488 + Sorensen-Reichert Ditch Co water

Document how the POD and Source were verified:

Tag # A 0014089

GPS 2308573

1504352

Reviewer:

Bence Bork

Date:

8/4/05

WR# 11489

Tag# A0014089



YPS

2308573

1504352

Period of Use and Quantity Data Entry Form

Claim Number 67-11489

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	0.4	

Overall Diversion Rate 0.4 Overall Diversion Volume

☒ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Verified as the watermaster of District
He can take 50" from creek on decreed
water as creek drops Sorenson - Reinhardt adds to
creek.

Reviewer: _____

Bono Bosh

Date: _____

8/2/05

Place Of Use Data Entry Form

Claim Number 67-11489

Claimed Place Of Use

T16N R01W S14	NESW	2.5	T16N R01W S14	NWSW	2.5
T16N R01W S14	SWSW	5.0	T16N R01W S14	SESW	10.0

Total Acres 20

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
16N	1W	14	NW	SW	Adams		3.5	Frigeation
			SW	SW			4	"
			NE	SW			4.5	"
			SE	SW			9	"

Total Acres 21

Document how the POU was verified:

Estimated acres + saw POA

Reviewer:

Boro Bosh

Date:

8/9/05

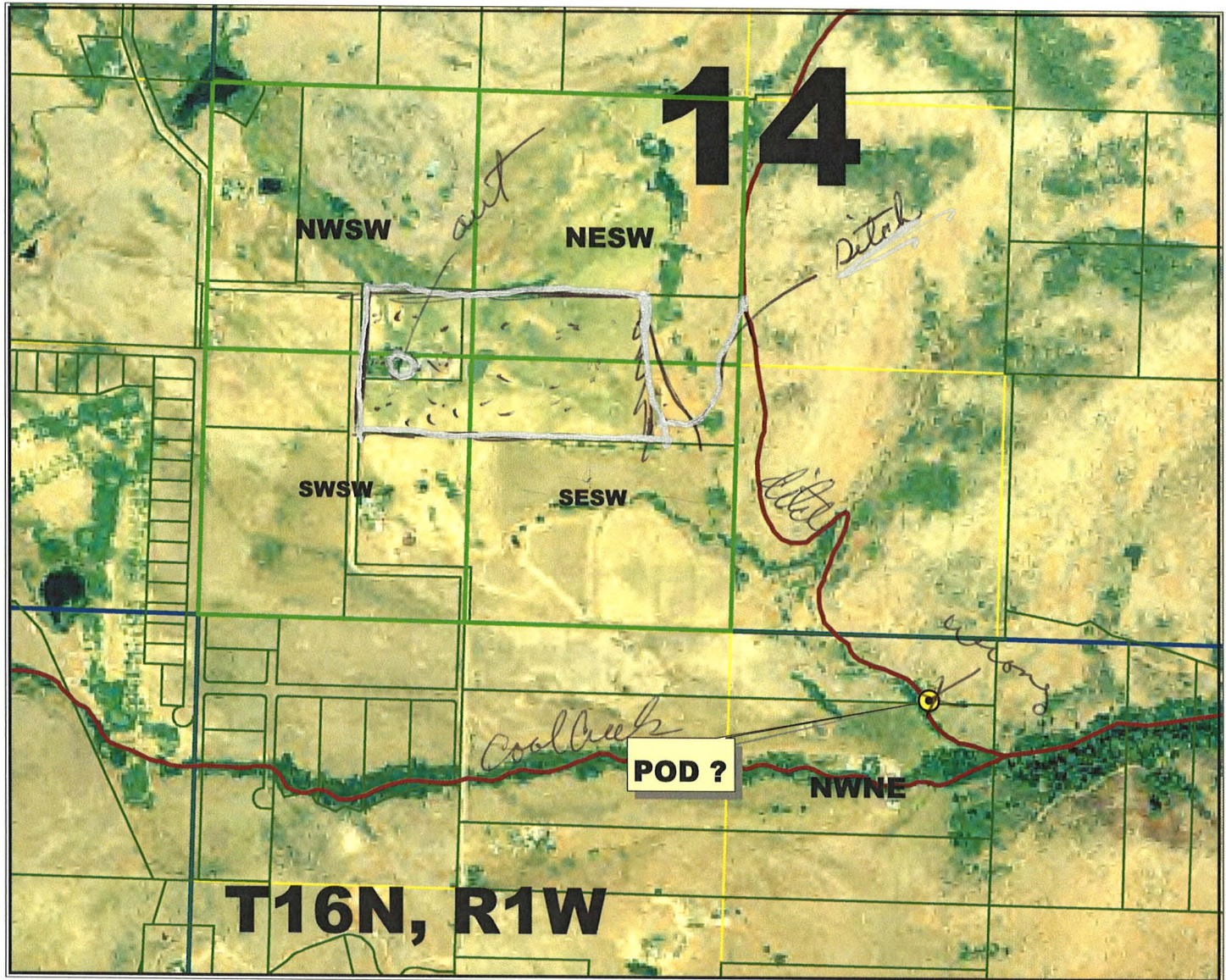


State of Idaho

POU Location Map

Claim #: 67-11489

Map Source: True Color



1320 0 1320 2640 Feet

● Claimed Point of Diversion

□ BNDY of Claimed POU

□ Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: 20.0
Initial Acres Found:



Prepared By: Craig L. Saxton
Date: June 2005

Purpose of Use Data Entry Form

Claim Number 67-11489

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION		30	

☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
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Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
		30		

Document how the Purpose of Use was verified:

Reviewer: Bonco Bala

Date: 8/4/05



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 9, 1995

Re: Notice of Claim to a Water Right No. A67-11489

David F. Lawrence
Vonda Lawrence
P.O. Box 445
Council, ID 83612

Mr. & Mrs. Lawrence:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:l
Enclosure

cc: Nello & Margaret Jenkins

SCANNED
APR 12 2004

MICROFILMED
OCT 23 1996

DATE: 5-8-90 & 9-11-90(A67-11737)

TO: CLAIM FILES FOR NO. A67-11488, A67-11489, A67-11491,
A67-11493, A67-11495, & A67-11737

FROM: JAN SHURTE

SUBJECT: REASON FOR NO LATE FEE

THE ABOVE CLAIMS WERE FILED AFTER THE DEADLINE FOR ADAMS CO. FOR FLOOD WATER RIGHTS ON COOL CREEK AND GROSSEN CREEK. I DID NOT CHARGE A LATE FEE BECAUSE ALL OF THE CLAIMANTS ALSO HAVE SORENSON-RINEHART DITCH CO. RIGHTS WHICH WERE FILED TIMELY AND UNTIL I SPOKE WITH THEM ABOUT THOSE DITCH RIGHTS WAS IT DISCOVERED THEY SHOULD HAVE FILED ON THEIR FLOOD RIGHTS ALSO.

NORMALLY, THE SORENSON RINEHART DITCH CO. DIVERTS WATER FROM THE NO. FORK COTTONWOOD CREEK AND DUMPS IT INTO BOTH COOL CK. AND GROSSEN CK. AS A MEANS OF CONVEYANCE. CLAIMANTS THOUGHT WHAT THEY WERE DIVERTING, EVEN DURING THE FLOOD SEASON, WOULD THEN BE SORENSON RINEHART DITCH CO. RIGHTS. HOWEVER, THROUGH CONVERSATION WITH THE DITCH CO. OFFICIALS, I FOUND THAT THEY DO NOT DIVERT DURING THE EARLY SPRING FROM N. FORK COTTONWOOD BECAUSE THERE IS STILL ICE IN THE DITCH, SINCE THE NO. FORK IS FURTHER UP LAND FROM GROSSEN OR COOL CK. BUT, DURING THE EARLY SPRING SOME OF THE WATERUSERS BEGIN DIVERTING FROM GROSSEN OR COOL CK. BEFORE THE DITCH CO. DIVERTS FROM COTTONWOOD CK. THEREFORE, THEY ARE DIVERTING FLOOD WATERS WHICH ORIGINATE IN GROSSEN & COOL CK. AND NEEDED A FILING FOR THAT TIME PERIOD. THEY CONTINUE TO DIVERT ALL THROUGH THE SUMMER, AND SINCE IT WOULD BE IMPOSSIBLE TO TELL WHEN GROSSEN OR COOL CK. WATER IS GONE AND ONLY THE DITCH WATER FROM NO. FORK COTTONWOOD CK. IS RUNNING IN THESE TWO CREEKS, I HAVE PUT THE SEASON OF USE FOR THE ENTIRE IRRIG. SEASON.

BECAUSE THIS IS SUCH A COMPLICATED FLOOD WATER SITUATION, I FELT THESE CLAIMANTS SHOULD NOT BE CHARGED A LATE FEE FOR THESE FLOOD WATER CLAIMS SINCE THEY HAD BELIEVED ALL THEY NEEDED TO FILE WAS THEIR DITCH CO. RIGHTS AND THOSE WERE FILED TIMELY.

MICROFILMED

OCT 05 1992

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: **A67-11489**
Date Received: 5/ 1/1990
Receipt No: W012323
Received By: _____

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

1. Name: DAVID F LAWRENCE
Address: PO BOX 445
COUNCIL ID 83612

AND

Name: VONDA LAWRENCE
Address: PO BOX 445
COUNCIL ID 83612

2. Date of Priority: JUN 5, 1902

3. Source: COOL CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	23	NE	NW	NE		ADAMS

5. Description of diverting works:
SMALL DIV. DAM, HEADGATE, GRAVITY FLOW DITCH, FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

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

9. Non-irrigation uses:
STOCKWATER, INCIDENTAL TO IRRIGATION.

SCANNED
APR 12 2004

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	14	NE	SW		IRR	2.5
			NW	SW		IRR	2.5
			SW	SW		IRR	5.0
			SE	SW		IRR	10.0
						Section Acres	20.0
						Total Acres	20.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

CLAIM NO. A67-11487/A67-04099/SORENSEN-RINEHART DTICH CO. RT

14. Remarks:

THIS CLAIM IS FOR FLOOD WATER ONLY - USED PRIOR TO WHEN THE SORENSON-RINEHART DITCH CO. BEGINS DIVERTING FROM THE NORTH FORK COTTONWOOD CREEK INTO COOL CREEK IN THE SPRING. OWNERSHIP CHANGED BY LH 11/9/95.

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)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

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NOV 09 1995

DATE OF CLOSING: 10/27/95

LEGAL DESCRIPTION OF PROPERTY: Township 16N Range 01W
Section 14, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.

Department of Water Resources

Lot _____, Block _____, Subdivision/Townsite _____.

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

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WATER RESOURCES
WESTERN REGION

[] 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:

A67-11489

[] Name and Address of Former
Owner/Claimant(s)(Seller):

Nello Jenkins or Margaret Jenkins
P.O. Box 185
Council, ID 83612

[] New Owner/Claimant
(Purchaser):

David F. Lawrence + Vonda Lawrence

[] New Mailing Address:

P.O. Box 445
Council, ID 83612

[] New Telephone Number: () _____ - _____

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of
ownership, describe
proof attached:

Copy of recorded Warranty Deed

(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)

David F. Lawrence
Vonda Lawrence

Date 10-27-95Date 10-27-95

[] Signature of Former
Owner/Claimant(s):

Date _____

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11-9-95 By: TH

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 11-9-95 By: TH

Claim Numbers of Split, if any:

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

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OCT 23 1996

INSTRUMENT NO. **89003**
WARRANTY DEED

For Value Received NELLO JENKINS and MARGARET JENKINS, husband and wife

COPY

the grantors , do hereby grant, bargain, sell and convey unto
DAVID F. LAWRENCE and VONDA LAWRENCE, husband and wife

the grantees, whose current address is, P.O. Box 445, Council, ID 83612

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

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Department of Water Resources

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees
their heirs and assigns forever. And the said Grantors do hereby covenant to and with
the said Grantees , that they are the owners in fee simple of said premises;
that they are free from all incumbrances excepting for all easements of record, rights of
way, matters visible, and all matters of record and title.

and that they will warranty and defend the same from all lawful claims whatsoever.

Date: October 27, 1995

Nello Jenkins
NELLO JENKINS

Margaret Jenkins
MARGARET JENKINS

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WATER RESOURCES
WESTERN REGION

STATE OF Idaho)
) ss
COUNTY OF Adams

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow

On this 27th day of Oct, in the year of 1995, before me
a Notary Public, personally appeared
NELLO JENKINS & MARGARET JENKINS
known or identified to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me
that they executed the same

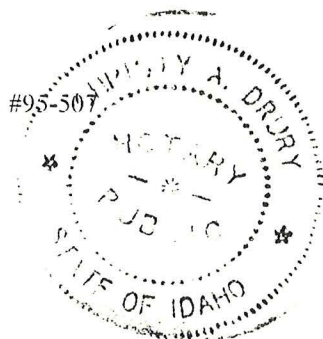
at 15 minutes past 9 o'clock A M.
this 30th day of Oct, 1995, in my
office, and duly recorded in Book
of Deeds at page

Christy A. Drury
Notary Public
Residing at Franklin, Idaho
Commission expires: 8/4/98

MICHAEL FISK
Ex-Officio Recorder

By: Leahy Linkal
Deputy

Fees \$6.00
Mail to: Timberline Title & Escrow



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OCT 23 1996

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 14: A parcel of land situated within the SW1/4 of said section, township and range more particularly described as follows:

Beginning at the SE corner of the NE1/4SW1/4 of Section 14, T16NR1W;

Thence North a distance of 325 feet along the East line of said SW1/4;

Thence West a distance of 1865 feet, more or less, to a point 775 feet East of the West line of said SW1/4;

Thence South a distance of 201 feet, more or less, to an iron pipe, which point is on the East right-of-way of an existing County Road known as Exeter Lane;

Thence East a distance of 350 feet, more or less, to an iron pipe;

Thence South a distance of 250 feet, more or less, to an iron pipe;

Thence West a distance of 350 feet, more or less, to an iron pipe, which point is on the East right-of-way of said Exeter Lane;

Thence South parallel to and 775 feet East of the West line of said Section 34 a distance of 249 feet, more or less, to a point on a line which is 375 feet South of the South line of the N1/2SW1/4 of said Section 14;

Thence East a distance of 1865 feet, more or less, to a point on the East line of said SW1/4;

Thence North a distance of 375 feet along the East line of said SW1/4 to the POINT OF BEGINNING.

TOGETHER WITH all water rights to the property except two (2) shares of Sorenson-Rinehart water; to be stored in the lower pond for garden and yard use through the headgate from April 1st to November 1st yearly.

GRANTOR RESERVES the improved spring located above the upper pond for domestic use.

SUBJECT TO THE FOLLOWING:

GENERAL TAXES AND ASSESSMENTS for the year 1995 which are a lien but not yet due or payable.

POWERLINE EASEMENT granted to IDAHO POWER COMPANY, recorded November 6, 1946 in Book 4 Miscs. page 471.

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WATER RESOURCES
WESTERN REGION

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: A67-11489
Date Received: 5/01/1990
Receipt No: 4012323
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NELLO JENKINS 208-253-4782
Address: P.O. BOX 185
COUNCIL, ID 83612

OR

Name: MARGARET JENKINS 208-253-4782
Address: P.O. BOX 185
COUNCIL, ID 83612

2. Date of Priority: JUN 05, 1902

3. Source: COOL CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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Number of attachments: 1

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): Nella W Jenkins Date: 5-1-90

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 1ST day
of May 19 90 Jan Shulte
Notary Public

Seal

Residing at Meridian, ID
My Commission Expires 9-14-94

