

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: **A37-04128**
Date Received: 12/ 6/1988
Receipt No: M002060
Received By: *AD*
Dee Fink

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

1. Name: DRURY III COOPER
Address: P. O. BOX 2023
KETCHUM ID

208-726-5600

83340

AND/OR

Name: JEAN COOPER
Address: P. O. BOX 2023
KETCHUM ID

208-726-5600

83340

2. Date of Priority: NOV 25, 1970

3. Source: UNNAMED STREAM

Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	18E	32	NE	SW	SW		BLAINE

5. Description of diverting works:

WOODEN DIVERSION BOX TO 1 1/2" PIPELINE TO PLACE 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		
IRRIGATION	04/01	11/01	0.120		

7. Total Quantity Appropriated is:

0.160 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

5.0 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC/ 1 HOUSEHOLD

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	18E	32	SW SW		DOMEST	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

PROPERTY IS ALSO KNOWN AS LOT 3, GIMLET SUBDIV. #12. WELL SERVES
MAIN RESIDENCE AND GUEST QUARTERS.

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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FEB 23 1993

SK

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: 39356
Ident Number 37-04128
Date Received 10-25-88
Receipt Number 1002060

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 26 1988

Department of Public Resources
Southern Region Office

1. Name of Claimant(s): Drury Cooper, III &/or Jean Cooper
Phone: (208) 726-5600
Mailing Address: P. O. Box 2023
Ketchum, ID 83340

2. Date of Priority: November 25, 1970

3. Source of water supply (a) Unnamed stream
which is tributary to (b) Big Wood River

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
4N	18E	32	NE	SW	SW		Blaine

Additional points of diversion if any: None.

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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5. Description of existing diversion works: 1½ inch diam pipe &
wooden diversion box in stream; pipeline to P/Use.

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6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Domestic	January 1	December 31	0.04 cfs
Irrigation	April 1	November 1	0.12 cfs

7. Total Quantity Claimed: 0.16 cfs

8. Total consumptive use claimed is 5 acre feet per annum.

9. Non-irrigation uses: Domestic - one (1) household.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Use</u>	<u>Irrig. Acres</u>
4N	18E	32	SW	SW	D/I	4

Total number of irrigated acres: 2

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? None.

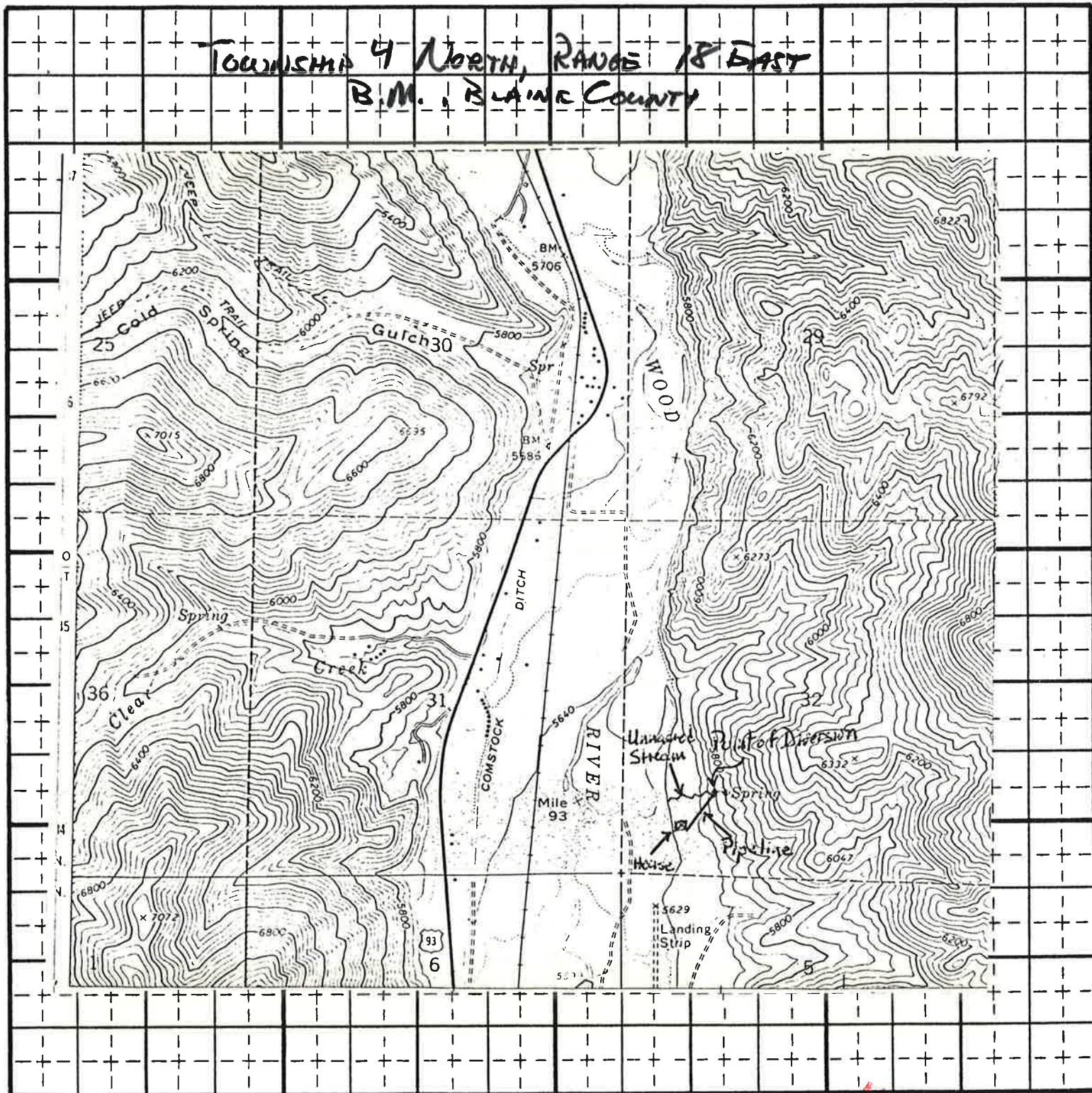
14. Remarks: Place of use is on Lot 3, Gimlet Subdivision No. 12. A more accurate measurement of irrigated acres was performed than at time of filing statutory claim.

Last Name: Cooper Ident No. _____

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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



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FEB 23 1993

Last Name COOPER

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim: Beneficial Use
IDWR Water Right Number: 37-4128
Court:
Case Number:
Decree Date:
Plaintiff v. 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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments _____

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____

Date 10-24-88

Date _____

State of IDAHO)
County of BLAINE) ss.

Subscribed and sworn before me this 24th day of October, 1988.

Notary Public _____

Residing at _____

Commission Expires 1/22/91

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law 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 the address listed below.

Signature: _____

James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 10/24/88

Last Name: Cooper
a2:\cooper.clm

Ident No.: _____

MICROFILMED
FEB 23 1993

01/12/2007

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

RIGHT NUMBER: 37-4128

NAME AND ADDRESS: DRURY COOPER III
PO BOX 2023
KETCHUM ID 83340

JEAN COOPER
PO BOX 2023
KETCHUM ID 83340

SOURCE: UNNAMED STREAM

TRIBUTARY: SINKS

QUANTITY: 0.080 CFS

The quantity of domestic water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1971

POINT OF DIVERSION:

T04N R18E S32 NENESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	04/15 10/31	0.080 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S32 SWSW 4.00

DOMESTIC in BLAINE County

T04N R18E S32 SWSW

4 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 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

1 PROPERTY IS ALSO KNOWN AS LOT 3, GIMLET SUBDIV. #12.

09/27/2005

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

RIGHT NUMBER: 37-4128
NAME AND ADDRESS: DRURY COOPER III
PO BOX 2023
KETCHUM ID 83340

JEAN COOPER
PO BOX 2023
KETCHUM ID 83340

SOURCE: UNNAMED STREAM
TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.080 CFS
The quantity of domestic water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1971

POINT OF DIVERSION:
T04N R18E S32 NENESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	04/15 10/31	0.080 CFS

PLACE OF USE: IRRIGATION Within BLAINE County
T04N R18E S32 SWSW 4.0
DOMESTIC Within BLAINE County
T04N R18E S32 SWSW

VERIFIED BY NT

4 ACRES TOTAL

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

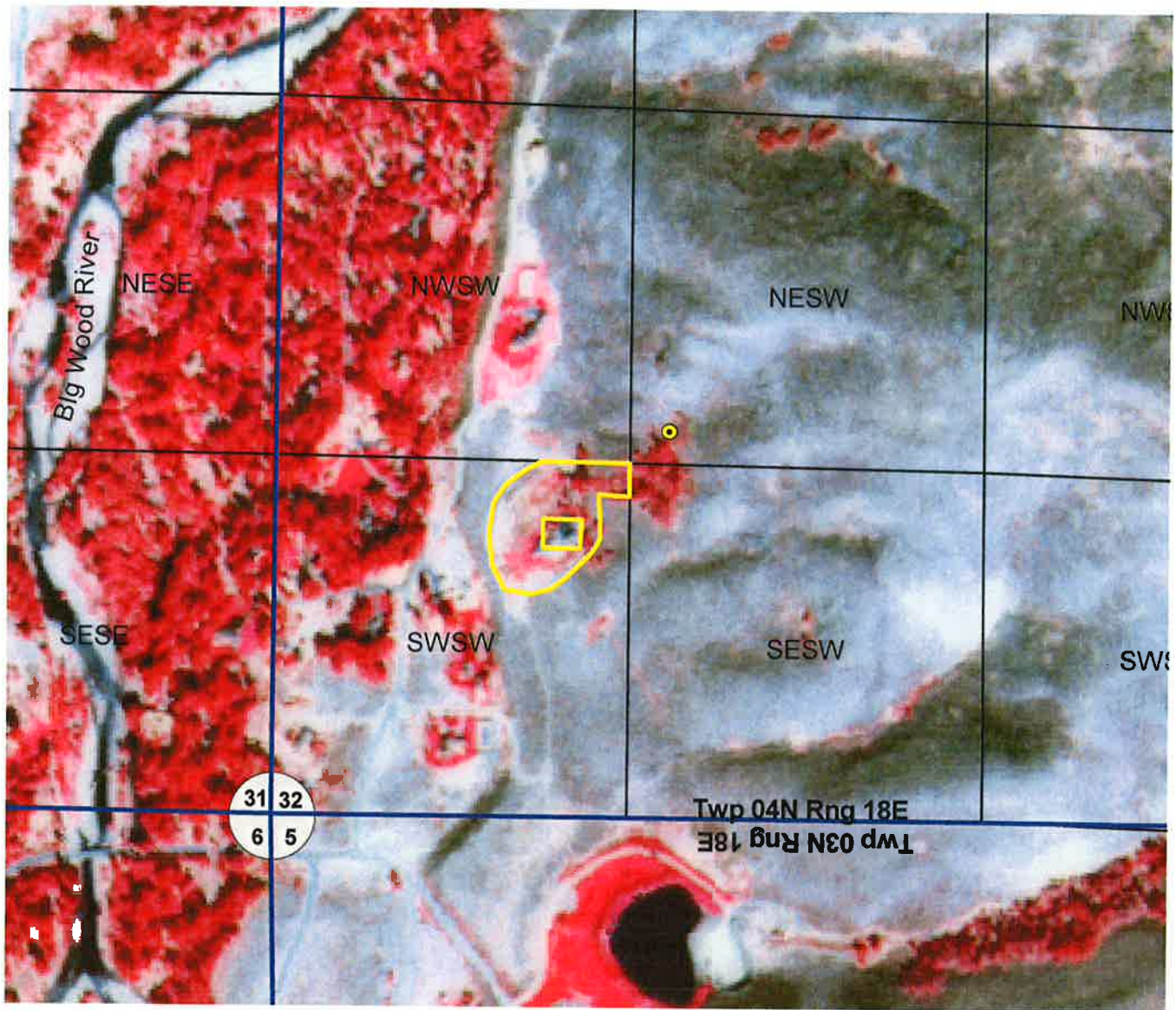
The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

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

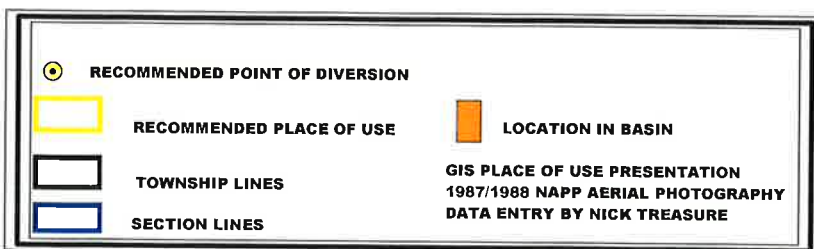
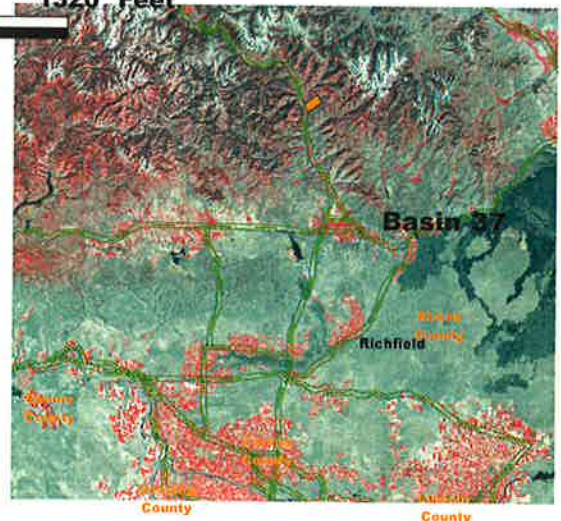
1 PROPERTY IS ALSO KNOWN AS LOT 3, GIMLET SUBDIV. #12.

Idaho Department of Water Resources
RECOMMENDED PLACE OF USE FOR
37-4128



1320 0 1320 Feet

PLACE OF USE
TWP 04N, RNG 18E, SEC 32
 Data entry on September 27, 2005





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037 DEPT INTERNET WEB SITE: www.idwr.idaho.gov

SOUTHERN REGION

JAMES E. RISCH
Governor

KARL J. DREHER
DIRECTOR

January 12, 2007

Drury & Jean Cooper
PO Box 2023
Ketchum, Idaho 83340

RE: Notice Of Error Reply SNAKE RIVER BASIN ADJUDICATION CLAIM(S): 37-4128

Dear Mr. & Mrs. Cooper,

With regards to the SRBA Basin 47 Notice of Error reply for 37-4128, Jim Speck indicated that you disagree with the recommended quantity & tributary of this Preliminary Director's Report.

With regards to the recommended quantity for domestic use; 13,000 gallons per day is the standard IDWR recommended quantity. This does not apply to the recommended irrigation portion of this claim. Irrigation under this surface water claim does not have a recommended volume, only a diversion rate.

I have corrected the recommended tributary of this recommendation from Big Wood River to "sinks" per Jim Speck's request. As far as the general provision adding this source to the list of sources to be administered separately from all other water rights in Basin 37, that direction would have to come from State Office personnel.

If you have any questions, feel free to call this office.

Sincerely,

Amanda J. Kriwox
Sr. Water Resource Agent
Idaho Department of Water Resources

11/21/2006

**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: 37-4128

DRURY COOPER III
PO BOX 2023
KETCHUM ID 83340
Telephone Number: (208)726-5600

JEAN COOPER
PO BOX 2023
KETCHUM ID 83340
Telephone Number: (208)726-5600

RECEIVED
JAN 2 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Quantity. Tributary. General provision.

2. Describe the changes you wish to make in the proposed recommendation:

Delete the 13,000 gallon per day limitation on the quantity. Change the tributary from The Big Wood River to Sinks. Add this unnamed stream to the list of sources to be administered separately from all other water rights in Basin 37.

3. Give a brief explanation as to why you disagree with these portions:

The claim was not filed with the \$25 filing fee. The claim mistakenly identifies the Big Wood River as the tributary when, in fact, the stream sinks into the ground on the Claimant's property.

☐ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 11/30/06 SIGNATURE: *J. P. Speck*
Please print your name: James P. Speck

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

Clark, Cynthia (Bridge)

From: Jim Speck [jim@speckandaanestad.com]
Sent: Thursday, November 30, 2006 5:28 PM
To: Clark, Cynthia (Bridge)
Subject: Re: Cooper/Water Rights - 37-4128

Cynthia,

Here is the Notice of Error Reply for this right. I do not intend to mail the original unless you tell me I must! Thanks again.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

CONFIDENTIAL COMMUNICATION

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12/1/2006

File No.
A37-04128

Owner
Drury III Cooper
Jean Cooper
P.O.Box 2023
Ketchum

Attn: Jim Speck

Date

5/20/05

Home : 726-8609
Phone office:726-5600

On afternoon of 5/19 I called Drury about his water file and he informed me that I should contact His Attorney Mr. Jim Speck about his water rights so I went up to see Jim this morning about this right And he showed me approx. where this water is used as drawn on color photo and Jim informed me that Mrs. Cooper was home and she would probably show me the location of the domestic well and spring. I then left Jims office and went to Gimlet where there home is located I then called Jean and she directed me to their home. I met Jean and she showed me the domestic well and we went upon the side hill where the diversion is located for their irrigation source on the spring. See both GPS readings. Also Jim Speck informed me he would take care of a letter for the priority date.

Domestic is No. 1 Spring diversion is No. 2

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Photo looking N	Drury 1	2472388	1381239	A0016186	105059 594
Photo " E	" 2	2472475	1381344	"	595 595

Lee R. Peterson

RECEIVED

MAY 23 2005

Department of Water Resources
Southern Region

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

September 21, 2005

Nick Treasure
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

RECEIVED
SEP 22 2005
Department of Water Resources
Southern Region

Re: Drury and Jean Cooper - Water Right No. 37-12231
Our File No.: 68/990158

Dear Nick:

Enclosed you will find a copy of a letter to me from Mr. Ted Teren, the original owner of Mr. and Mrs. Cooper's property in Gimlet Subdivision No. 12 in Blaine County, Idaho. This letter is submitted as evidence of the claimed priority date for this beneficial use water right. Please contact me immediately if you need any additional information or documentation to recommend this water right with the claimed priority date.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal
Enclosure
cc: Client w/encls.

RECEIVED
SEP 19 2005
Department of Water Resources
Southern Region
RECEIVED
SEP 22 2005
Department of Water Resources
Southern Region

Ted Teren
#1 Stuart Island
Friday Harbor, Washington 98250

RECEIVED
SEP 19 2005
SPECK & AANESTAD

August 30, 2005

James P. Speck
Speck & Aanestad,
A Professional Corporation
P. O. Box 987
Ketchum, Idaho 83340

Re: Gimlet Property Owned by Drury and Jean Cooper

Dear Mr. Speck;

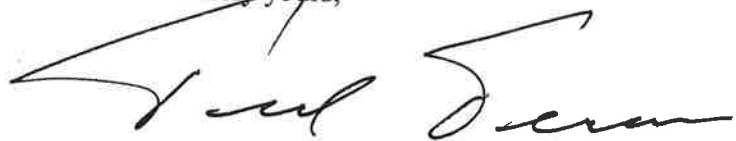
I understand Drury and Jean Cooper are now the owners of Lot 3, Gimlet Subdivision No. 12 in Blaine County, Idaho. I was the original owner of this property and completed construction of the house and related landscaping in 1970. As part of that construction I had installed a system to deliver water from springs up on the hillside to the house to be used both for domestic purposes in the house and landscape irrigation.

By the beginning of May, 1971, water from these springs was used to irrigate approximately 4 acres on the property.

The springs which are the source of water for these uses are located on the hillside above and to the north of the house in a grove of aspen and other plants.

Please do not hesitate to contact me if you need any additional information.

Sincerely yours,



WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer
within 30 days after completion or abandonment of the well.

1. WELL OWNER

Name Loran Corp.
Address Sun Valley Idaho
Owner's Permit No. _____

7. WATER LEVEL

Static water level 12 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature _____ ° F. Quality _____
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other

Discharge G.P.M. Draw Down Hours Pumped

5 40 ft 1 hr.

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test
☐ Municipal ☐ Industrial ☐ Stock

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

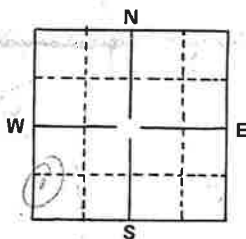
Diameter of hole 6 inches Total depth 85 feetCasing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>2.50</u> inches	<u>6</u> inches	<u>0</u> feet	<u>54</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches
Number From To
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feetWell screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feetGravel packed? ☐ Yes ☒ No Size of gravel _____
Placed from _____ feet to _____ feetSurface seal? ☒ Yes ☐ No To what depth 18 feet
Material used in seal ☐ Cement grout ☒ Puddling clay

6. LOCATION OF WELL

Sketch map location must agree with written location.

County Blaine
SW 1/4 Sec. 32, T. 4N, R. 18E E/W

10.

Work started July 27-79 finished July 30-79

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is
true to the best of my knowledge.

Driller's or Firm's Name

Number

Address

Signed By

Date



Un-named stream to POU used for Irrigation 37-4128



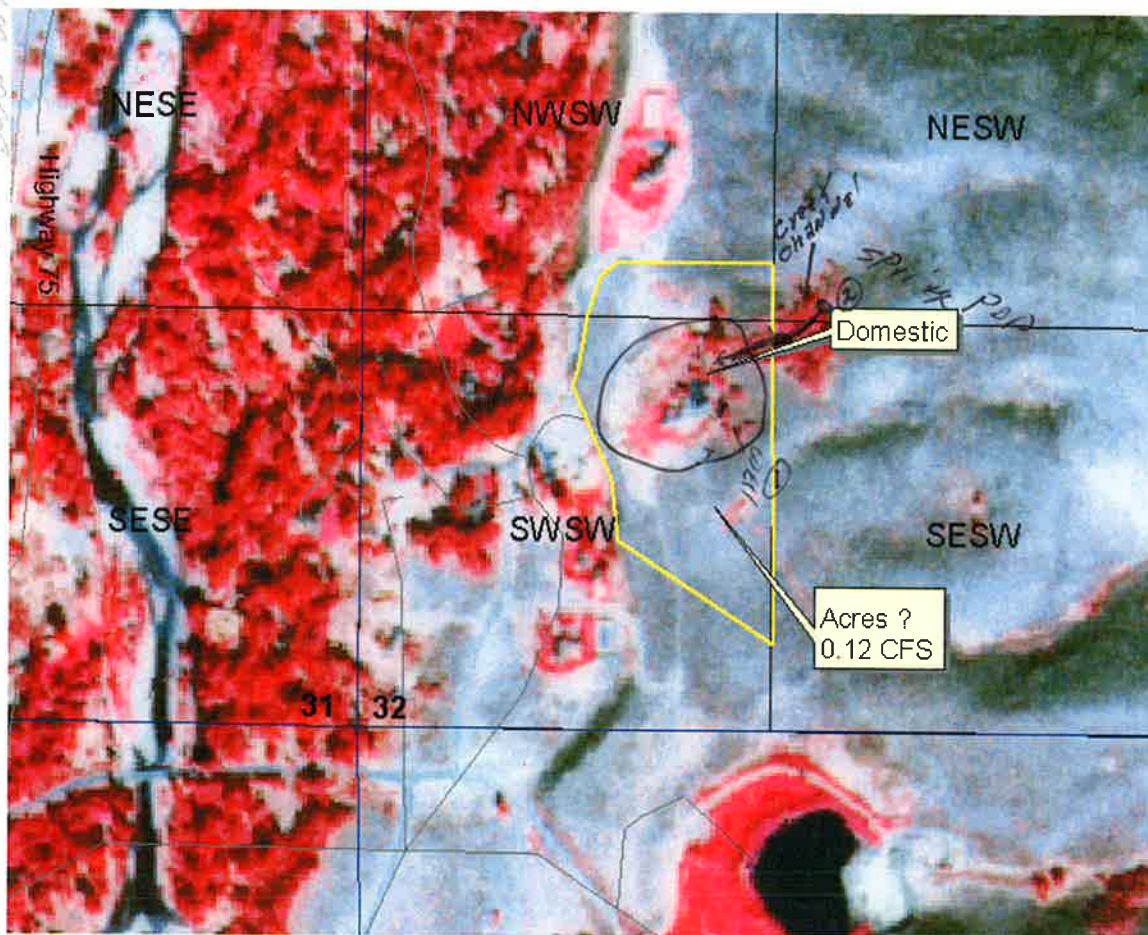
Domestic Well was dug in July 1970. 37-4128
Lee Peterson in field examination, determined from Mrs. Cooper
that the spring was still being used in 1987 for both
domestic purposes as well as irrigation of 4 acres.

Jim Spick
726-4421

302 Madison Ave Ketchikan
office 191 SW Valley Rd 340 V.

Field Exam

37-4218



GPS the domestic well/spring and POD of irrigation from unnamed stream.

Irrigation indicates a rate of 0.12 cfs, need to verify the *Place of Use*.

This is a beneficial Use right, need *Evidence of Priority* for claimed priority date of 1970.

It may be possible that there has been *change of ownership*. If there is, have them fill out a change of ownership form.

Shape	Pin	Owner
Polygon	RP002450000030A	COOPER, GORDON W CO-TRUSTEES
Polygon	RP002450000040A	COOPER, GORDON W CO-TRUSTEES
Polygon	RP002450000050A	HANDY, GAIL SLOCUM
Polygon	RP002450000060A	BEAN IDAHO TRUST
Polygon	RP002450000070A	BEAN IDAHO TRUST
Polygon	RP002450000080A	SAUTER, VAN GORDON-TRUSTEES
Polygon	RP002480000060A	RINKER, HARRS S TRUSTEE
Polygon	RP002480000070A	HANDY, GAIL SLOCUM
Polygon	RP002480000080A	YOUNGER, GORDON
Polygon	RP03N18005527EA	LUNDT, HOLMES
Polygon	RP03N18006531DA	TEREN, NELSON F & SUSAN E
Polygon	RP04N18032769DA	RINKER, HARRY S TRUSTEE
Polygon	RP04N18032768BA	SEMONES, TIMOTHY D &
Polygon	RP04N18032769AA	RINKER, HARRY S TRUSTEE
Polygon	RP00195000014AA	WILKINSON DECLARATION OF TST
Polygon	RP00195000015BA	HENDER, DAVID HAMILTON &
Polygon	RP001950000180A	STEWART, S ALLYN
Polygon	RP001950000170A	STAGG, DOUGLAS L
Polygon	RP001950000210A	FLYNT, JERRY E & SUSAN R TSTEE
Polygon	RP001950000190A	LARZELERE, LOU JEAN
Polygon	RP00195000020BA	GIMLET MASTER ASSOCIATION, INC
Polygon	RP00195000020AA	EATON, GREGORY F 50%
Polygon	RP002300000120A	EATON, GREGORY F
Polygon	RP002000000160A	ORNELAS, FRANK JR & JUNE TSTES
Polygon	RP002050000080A	GARIEPY, RICHARD N & KATHLEEN
Polygon	RP002300000040A	GREEN, BARTLEY C & NANCY M
Polygon	RP002300000050A	STRANDBERG, STEVEN F & DIANA S
Polygon	RP002300000060A	DOLGEN, JONATHAN L & SUSAN G
Polygon	RP002300000080A	MANSOOR FAMILY TRUST
Polygon	RP002300000090A	CAMPANALE, RALPH II
Polygon	RP002300000100A	COHEN, EARL R & SUSAN TRUSTEES
Polygon	RP002300000110A	FELTMAN, MICHAEL C & LESLIE N
Polygon	RP002300000120A	EATON, GREGORY F
Polygon	RP000900000450A	MORGAN, LEE F
Polygon	RP000900000010A	HAWKES, GLEN E & VIOLA-TRUSTEE
Polygon	RP000900000020A	BEAN, ROLAND C & DENISE
Polygon	RP000900000030A	DIXON, DENNIS A & FAYE TRUSTEE
Polygon	RP000900000040A	SUN VALLEY LAND & MINERALS
Polygon	RP000900000050A	SUN VALLEY LAND & MINERALS
Polygon	RP000900000060A	SUN VALLEY LAND & MINERALS
Polygon	RP000900000070A	SUN VALLEY LAND & MINERALS
Polygon	RP000900000080A	SUN VALLEY LAND & MINERALS
Polygon	RP000900000090A	SUN VALLEY LAND & MINERALS

ERK, DONOVAN, PRAGGASTIS, ELKINS & PHILLIPS
ATTORNEYS AND COUNSELORS AT LAW
MOUNTAIN STATE SAVINGS BUILDING
215 NORTH MAIN
POST OFFICE BOX 2740
HAILEY, IDAHO 83333

RECEIVED

OCT 26 1988

Idaho Department of Water Resources
Southern Region Office

CERTIFIED

P 607 622 299

MAIL



Idaho Department of Water Resources
2148 4th Ave. East
Twin Falls, Idaho 83301

MICROFILMED
FEB 23 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2005

X
X
X
X

RESPONSE DEADLINE
JUNE 17, 2005

Re: Evidence of Priority

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752

HAILEY OFFICE:

16 WEST CROY STREET

SUITE K

POST OFFICE BOX 460

HAILEY, IDAHO 83333

(208) 788-3567

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

October 24, 1988

CERTIFIED MAIL

Idaho Dept. of Water Resources
2148 4th Ave. East
Twin Falls, Idaho 83301
Attn: Jim Stanton

RECEIVED
OCT 25 1988
Department of Water Resources
Southern Region Office

RE: Snake River Basin Adjudication
Notices of Claims to Water Rights
Drury Cooper &/or Jean Cooper

Dear Jim:

Enclosed you will find the original Notices of Claims to Water Rights which we have prepared on behalf of Drury Cooper for the following-described water rights:

1. 37-4128
2. Domestic Well

Also enclosed is a check in the sum of \$79.00 to cover the filing fees for these claims.

Kindly call if you have any questions.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/rlk
encl.
cc: Drury Cooper

WR # A37 -12231
A37-04128

RECEIVED
FEB 23 1993

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Cooper CLAIM IDENT. NO. 37-04128

DATE RECEIVED 10/25 CK # 8830 AMOUNT \$ 79.00

1. Is the name and address complete with zip code? YES NO
2. Is a priority date entered? YES NO

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? YES NO
- (b) Is a tributary to entered? (if required) N/A YES NO

4. Is the legal description of the p.d. sufficient? YES NO

5. Is there a description of the diverting works? YES NO

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. YES NO

Is the period of use included? YES NO

Is a quantity claimed for each use? YES NO

7. Is a total quantity claimed entered? YES NO

8. If required is a consumptive use entered? N/A YES NO

Is the consumptive use correct? N/A YES NO

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A YES NO

10. Is (are) the place(s) of use and purpose(s) indicated? YES NO

11. Is (are) the county(ies) entered? YES NO

12. Is the ownership of p.u. checked? YES NO

13. Are other water rights listed or "none" indicated? YES NO

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A YES NO

15. Is the basis of the claim indicated? YES NO

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) YES NO

Has the claim been signed, sealed, and dated by a notary? YES NO

Was this claim filed on time, or was an extension granted? YES NO

Is the fee enclosed correct? Exempt YES NO

If this claim is based on an existing water right, has the identification number been entered? N/A YES NO

Should this claim be receipted and data entered? YES NO

Claim checked by: B

Comments: 50.00

4.00 ACRES

54.00

MICROFILMED
FEB 23 1993