

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

SEPTEMBER 14, 1981

HENRY G. COINER
CHARLES H. COINER
1315 11TH AVE. EAST
TWIN FALLS

ID 83301

RE: Claim No. 36-4122

Dear Claimant:

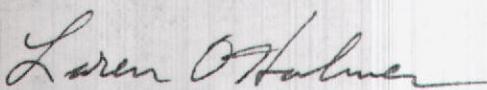
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water-right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

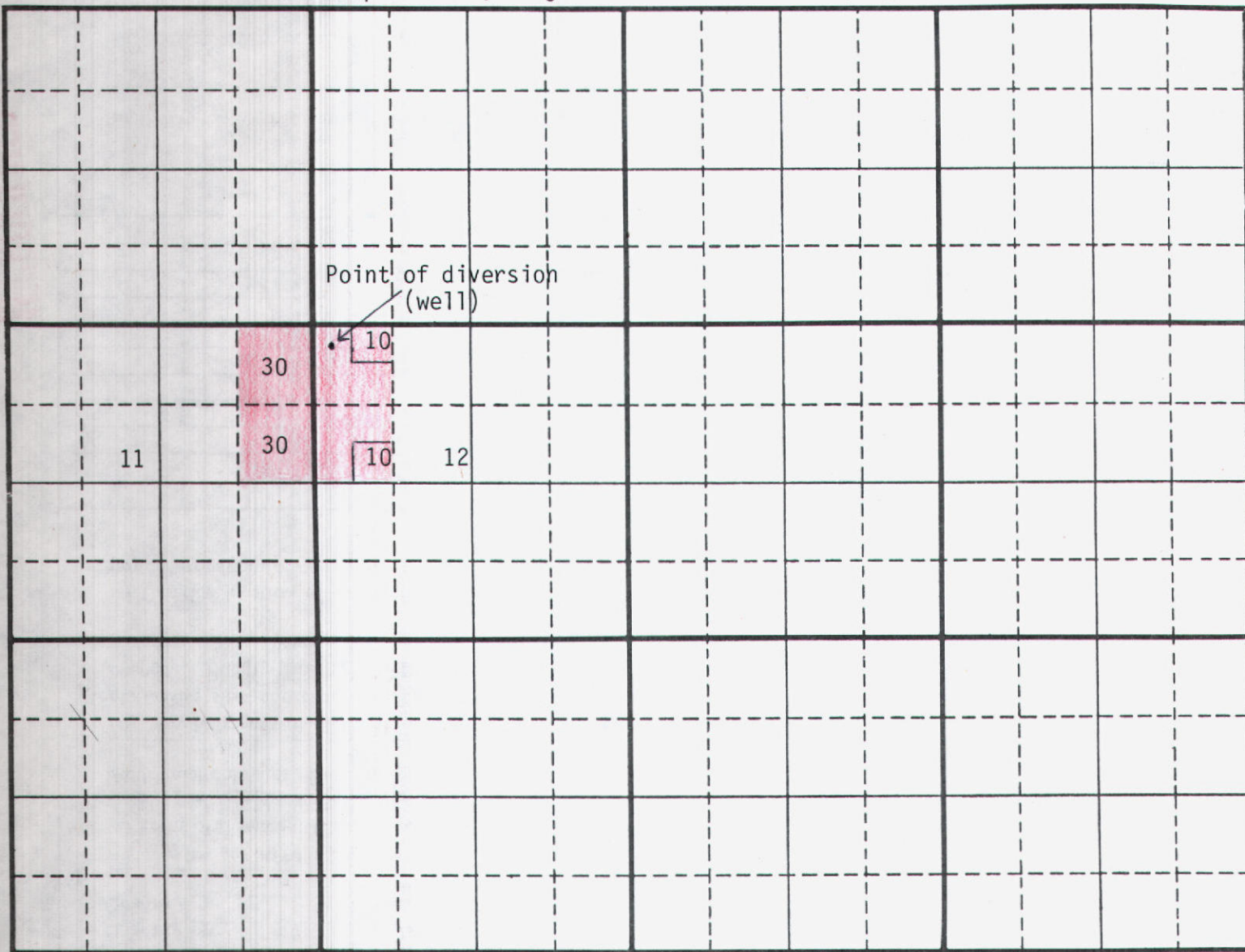

LOREN O. HOLMES
Southern Region Supervisor

Enclosure

MICROFILMED

(8) Remarks _____

Township 9 South, Range 18 E.B.M. Section 12; W $\frac{1}{2}$ NW $\frac{1}{4}$



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Henry L. Corner
Charles H. Corner
(Claimant)

Sworn to before me this 17 day of August, 19 81.

Henry L. Corner
Notary Public
Residing at Twin Falls, Idaho

My commission expires with death

FOR DEPARTMENT USE ONLY

Received by Marya Date 8/28/81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by DP Date 8-28-81 claimant by: _____
\$30.00 fee received by Marya Date 8/28/81 # 18738
Published in North Side News
Dates 9/3 + 9/10/81

Important Information About Your Water Right

August 27, 2001

W L SHILLINGTON
PO BOX 564
TWIN FALLS, ID 83303

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-04122. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order* in combination with the *Partial Decree* that was issued for this water right on December 16, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of the water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney
Case Administrator

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)

Water Right 36-04122

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on December 16, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

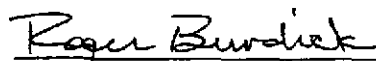
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated August 27, 2001



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED

3007

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 36-04122

NAME & ADDRESS: W L SHILLINGTON
PO BOX 564
TWIN FALLS ID 83303

SOURCE: GROUNDWATER

QUANTITY: 1.58 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-14844 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.58 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 36-14844 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 376 AF.

PRIORITY DATE: 09/04/1961

POINT OF DIVERSION: T09S R18E S12 SWNNW Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	1.58 CFS

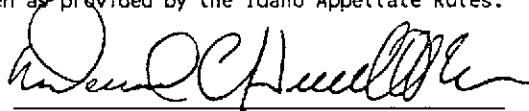
PLACE OF USE:	IRRIGATION	Within JEROME County
	T09S R18E S11	NENE 7.5
	S12	SENE 7.5
		NWNW 39
		SWNW 40
	94 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT NO. 36-14844 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 94 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 79 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

**THIS RIGHT HAS BEEN
DECREED
IN THE
SRBA**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 11th Ave. East
Twin Falls, Idaho 83421
208-735-1111

SEP 10 1992

HENRY G. COINER
CHARLES H. COINER
1515 11TH AVE. EAST
TWIN FALLS

FE Claim No. 75-4122

Dear Claimant:

The Department of Water Resources has received your claim for a water right and on further review of your claim, we have determined that your claim is not eligible for consideration under the provisions of the Idaho Water Right Act (IWR Act) and will be available to you for use in the future.

The filing and advertising of your claim does not constitute a claim, but will serve to record and preserve the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for our records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

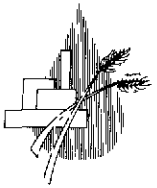

LOREN O. HOLMES
Southern Region Supervisor

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Henry G. Coiner and Charles H. Coiner
(Name of Claimant)

1315 11th Ave. East, Twin Falls, Idaho 83301 Telephone No. 733-8220
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 9-4-61

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971 An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water (Name of stream, lake, spring, etc., or ground water)
Ground Water tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed.

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc)		(Both dates inclusive)	
				(Mo, Day)	(Mo., Day)
Quantity	<u>1.6 c.f.s.</u>	Use	<u>Irrigation</u>	Period of Use From <u>3-15</u>	To <u>11-15</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

(4) _____ TOTAL QUANTITY USED
(cfs, gpd, AFA)

(5) A) Point of diversion. (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec 12 Twp 9S Rge. 18E B.M., County of Jerome
Additional points of diversion: _____

B) Describe means of diversion of water (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities be as specific as possible. Describe any changes in the system and give the date of the change. Pump, 60 h.p. and open ditch

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	18E	12						10	10										20
9S	18E	11	30			30													60

No. of acres 80

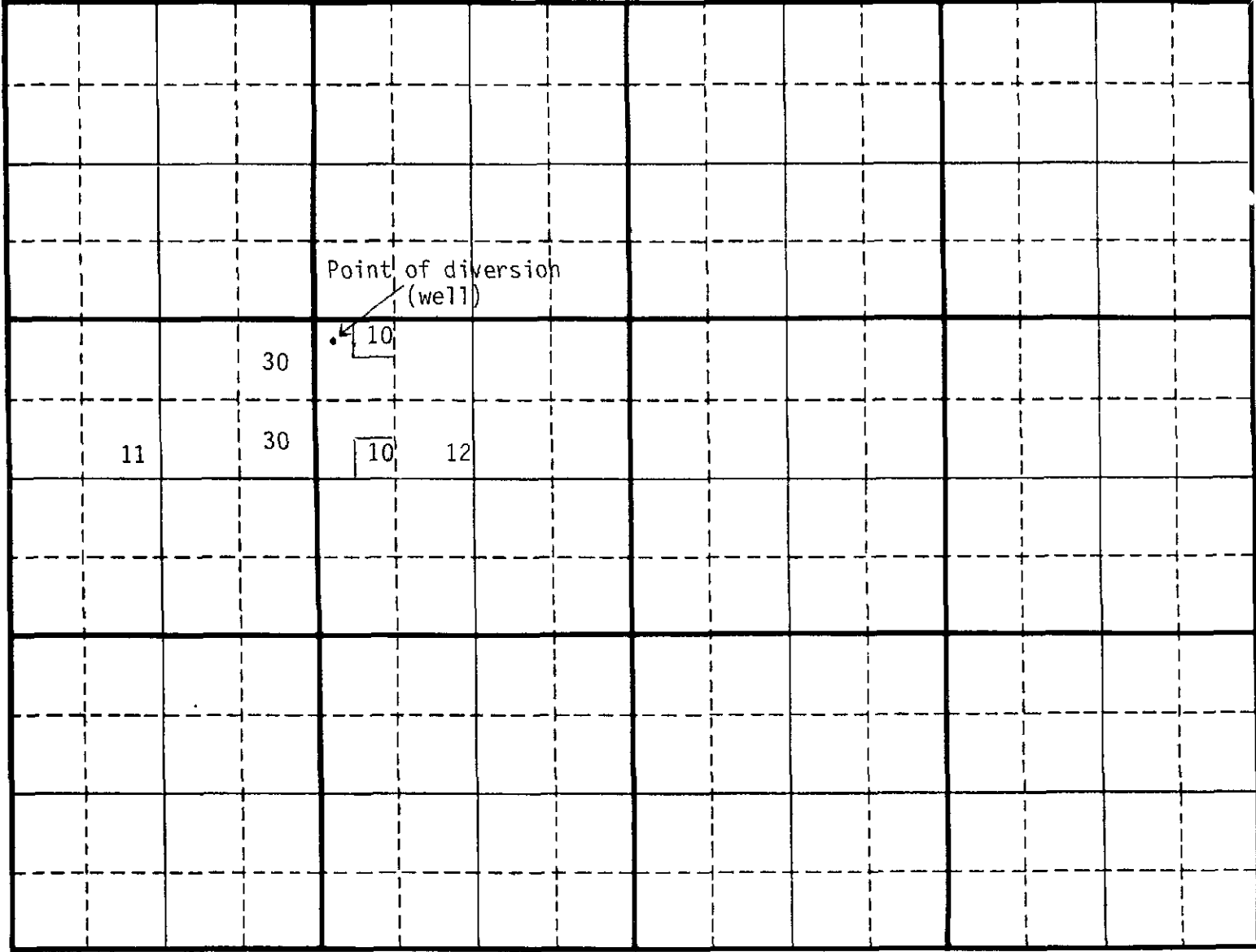
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: None

NOTE: Include here the type and number of stock watered. _____

(7) If you are claiming water as a member of an organization, list name of organization _____

(8) Remarks _____

Township 9 South, Range 18 E.B.M. Section 12; W $\frac{1}{2}$ NW $\frac{1}{4}$



Scale 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Henry L. Corner
Charles L. Corner
(Claimant)

Sworn to before me this 17 day of August, 19 81.

William L. Mayne
Notary Public
Residing at Twin Falls, Idaho

My commission expires with death

FOR DEPARTMENT USE ONLY

Received by Marya Date 8/28/81 Exception filed by _____ Forwarded to _____ Date _____
Prelim. check by 100 Date 8-28-81 claimant by _____
\$30.00 fee received by Marya Date 8/28/81 # 18738
Published in North Star News
Dates 9/3 + 9/10/81

AFFIDAVIT of PUBLICATION

COPY OF NOTICE

(Paste Here)

Water # 36-4122
TITLE OF NOTICE

State of Idaho, }
County of Jerome } SS.

E. L. LANGDON
ASST. PUBLISHER

being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 3rd day of Sept 1981, and the date of the last publication was on the 10th day of Sept, 1981.

E. L. Langdon
15th

Subscribed and sworn to before me this 15th day of September, 1981.
(SEAL)

Darla Bratt

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line _____ 13
Number of Lines in Notice _____ 34
Number of Insertions _____ 1

Lines tabular at _____ 4¢ / Pica
34 Lines straight at 13.26 3¢ / Pica
34 Subsequent lines at 8.84 2¢ / Pica
TOTAL COST 22.10

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim to water right has been established by diversion and application to beneficial use.

36-4122

COINER, HENRY G &/or CHARLES H. - 1315 11TH AVE EAST, TWIN FALLS, ID 83301

Source: GROUNDWATER

Priority Date 09/04/1961

Amount 1.60 CFS

Diversion Point NWNW Sec 12 T 09S R 18E, JEROME Co

Use IRRIGATION (1.60 CFS) from 03/15 to 11/15

Place of Use NWNW SWNW Sec 12 T 09S R 18E NENE SENE Sec 11 T 09S R 18E FOR 80 ACRES

Diversion Means. PUMP AND DITCH

Any excertion to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd North, Twin Falls, Idaho 83301

A KENNETH DUNN

Director

9-3-2tc

7 s pl per line successive
insertions 3¢ Pica

No 443

MICROFILMED

**THIS RIGHT HAS BEEN
DECREED
IN THE
SRBA**

MICROFILM

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

36-4122-

COINER, HENRY G. &/or CHARLES H.

1315 11TH AVE. EAST, TWIN FALLS, ID 83301

Source: GROUNDWATER

Priority Date: 09/04/1961

Amount: 1.60 CFS

Diversion Point NWNW Sec 12 T 09S R 18E, JEROME Co.

Use: IRRIGATION (1.60 CFS) from 03/15 to 11/15

Place of Use: NWNW SWNW Sec 12 T 09S R 18E NENE SENE Sec 11 T 09S R 18E
FOR 80 ACRES

Diversion Means: PUMP AND DITCH

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 9/3 & 9/10/81.

MICROFILMED

**NOTICE OF CLAIMS
TO WATER RIGHTS**

Notice is hereby given that the following claim to water right has been established by diversion and application to beneficial use.

36-4122

COINER, HENRY G &/or CHARLES

H - 1315 11TH AVE EAST, TWIN
FALLS, ID 83301

Source GROUNDWATER

Priority Date. 09/04/1961

Amount 1.60 CFS

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Place of Use NWNW SWNW Sec 12
T 09S R 18E NENE SENE Sec 11 T 09S
R 18E FOR 80 ACRES

Diversion Means PUMP AND
DITCH

Any exertion to any claim of water
right may be filed with the Director of
the Idaho Department of Water Re-
sources, 1041 Blue Lakes Blvd North,
Twin Falls, Idaho 83301

A KENNETH DUNN

Director

9-3-2tc

*ok
mcp
9/10/61*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

AUGUST 28, 1981

North Side News
P. O. Box 468
Jerome, Idaho 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 21, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED

IDENT. NO. 36-4122

WATER RIGHT
DATA ENTRY LOG

Item

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Keypunched by State Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J. E. Stanton

Right Number 36-4122 Applicant COINER, Henry & Charles

NOTE: *IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.*

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Loren B. Palmer Date 9/22/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By _____ Date _____

MICROFILMED