

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

Sec. 29.

T23N, R1E

Scale: 2 inches equal 1 mile

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

(Applicant) John J. Randall

Zetha M. Randall

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

78-7184

RANDALL, JOHN J. and-or ZETHA M.

P.O. Box 237, POLLOCK, ID 83547

Source: LITTLE SALMON RIVER
tributary to SALMON RIVER

Date Filed: 9-15-1981

Amount: 0.03 CFS 4.0 AC-FT

Diversion Point: NENW Sec 29 T 23N
R 01E, IDAHO Co.

Use: IRRIGATION (0.03 CFS) from
4-1 to 10-31

Place of Use: NENW Sec 29 T 23N R
01E FOR 1 ACRES

Diversion Means: PIPE, BLOCK
SUMP, MOTOR & SPRINKLERS

78-7185

SCHIFFMAN, WILLIAM F. and-or

MOLLIE

P.O. BOX 204, POLLOCK, ID 83547

Source: LITTLE SALMON RIVER
tributary to SALMON RIVER

Date Filed: 9-21-1981

Amount: 0.07 CFS

Diversion Point: NENW SENW Sec
29 T 23N R 01E IDAHO Co.

Use: IRRIGATION (0.07 CFS) from
3-1 to 12-1

Place of Use: NENW SENW Sec 29 T
23N R 01E FOR 3 ACRES

Diversion Means: PUMP,
PIPELINE & SPRINKLERS

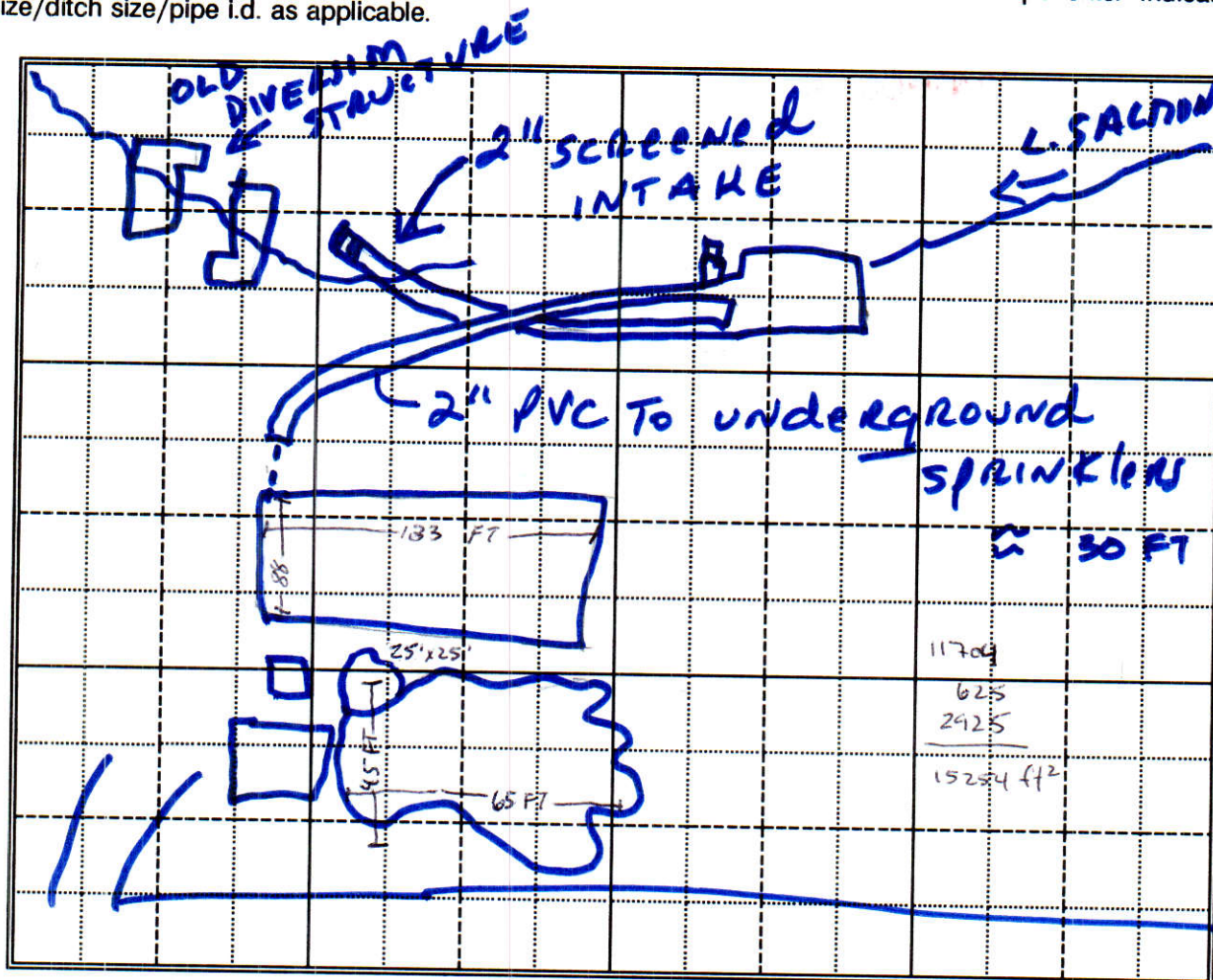
If issued, the permit(s) will be
subject to all prior water rights.
Protests against the granting of any
permit must be filed with the Director
of the Idaho Department of Water
Resources, 92 S. Cole Road, Boise,
Idaho 83709 on or before OCTOBER
19, 1981.

A. KENNETH DUNN

Director

Published in the Cottonwood
Chronicle Oct. 1 and 8, 1981.

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Part No. Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	MARATHON Elec.	1.5	3034-007		XVH 56C34D5524A

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

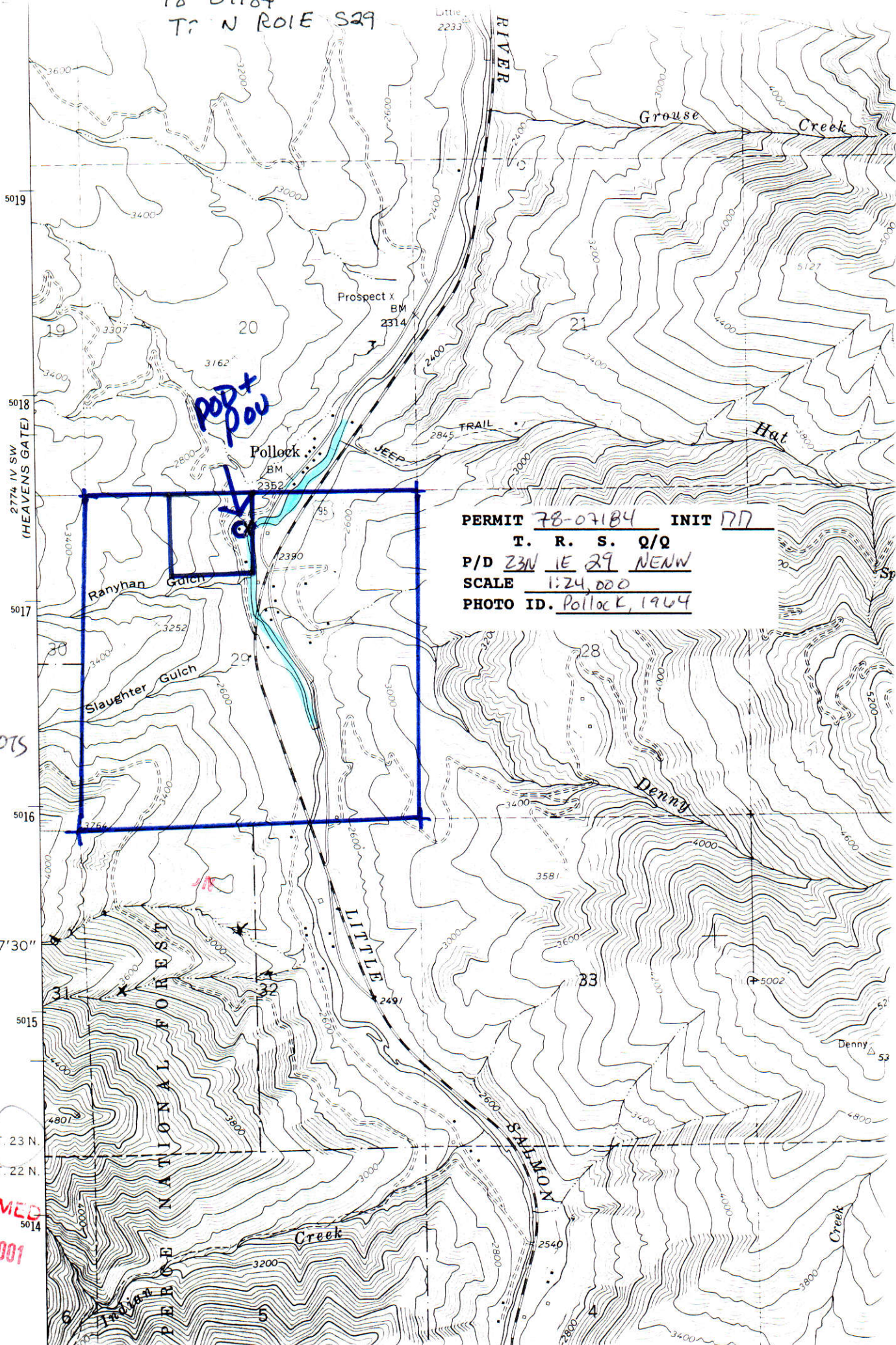
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: No flow measurement possible. Closed system to underground sprinkler system.

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JUN 20 2001

78-07184
T: N R01E S29



NO GOVT LOTS

RD

6/16/1998

17'30"

5015

T. 23 N.

T. 22 N.

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JUN 20 2001



PHOTOGRAPHER AND DATE OF PHOTOS MTW/MS/CC 10/07/1997

FILE NO. 78-07184 T23N R01E S. 29 NENW



Pump located on
banks of Little
Salmon River

2" screened
black PVC
intake pipe.

2" outlet to
underground
sprinkler system



Old diversion
structure:
Concrete structure
in river which
was washed out
by floods last
year (winter of
96-97).

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PHOTOGRAPHER AND DATE OF PHOTOS TTINICUCCI 10/07/1997

FILE NO. 78-07184 T23N R01E S. 29 NE NW



Place of use. Parcel
is located right
next to river.
Floods deposited
sand, which applicant
is removing over
time.



Place of use - upper
parcel near homes.

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JUN 20 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 78-07184

Priority: September 15, 1981

Maximum Diversion Rate: 0.02 CFS

Maximum Diversion Volume: 2.0 AF

It is hereby certified that MARY K COCUS
PO BOX 246
POLLOCK ID 83547 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated September 15, 1981; and has
submitted Proof of Beneficial Use on July 20, 1982. An examination indicates that the works have a
diversion capacity of 0.02 cfs of water from:

SOURCE

LITTLE SALMON RIVER

Tributary: SALMON RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	02/15 to 11/30	0.02 CFS	2.0 AF

LOCATION OF POINT(S) OF DIVERSION:

LITTLE SALMON RIVER NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29, Twp 23N, Rge 01E, B.M., IDAHO County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
23N 01E 29					.5												.5

Total Acres: 0.5

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 2.0 afa at the field headgate for irrigation of the land described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 26TH day of FEBRUARY, 2001.

Acting for


KARL J. DREHER
Director

MICROFILMED
JUN 20 2001

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
78-07184					

2. The following information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, EASEMENT, CONTRACT OF SALE** or other legal document indicating your ownership of the water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

4. **Current Claimant(s)**

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

Current Mailing Address

Current Telephone Number

Current E-mail Address

5. Date you acquired the property

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JUN 20 2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

~~_____~~ New Owner(s) or Claimant(s)
(include title if applicable)

Mary K. Coons

12 February 2001

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

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JUN 20 2001

For Office Use Only

Received by JohnsonDate 2/13/01Fee \$25.00Receipted by Johnson

Date _____

Receipt No. C052271

Processed by _____ AJ Date _____

WR FWDate 3/20/2001

340747

WARRANTY DEED

ASSESSOR

GRANTOR, JOHN J. RANDALL and ZEPHA RANDALL, husband and wife, of Sun City, Arizona, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto JACKIE D. COCUS and MARY K. COCUS, husband and wife, of P. O. Box 246, Pollock, Idaho, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 1988, which are a lien, not yet due and payable.
2. Easement, including the terms and conditions thereof, by and between PEARL E. HIATT, et al. to THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH CO., recorded September 6, 1932, under Instrument No. 99331 Book 60 page 461, records of Idaho County, Idaho.

Grantor, for himself, his heirs and assigns does hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the Grantee, his heirs and assigns forever against the lawful claims of all persons.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this 3/21 day of March, 1988.

John J. Randall
JOHN J. RANDALL

Zepha Randall
ZEPHA RANDALL

MICROFILMED
JUN 20 2001

1 STATE OF ARIZONA) ss.

2 County of Maricopa

3 On this 21st day of March, 1988, before me,

4 John J. Randall or Zepha Randall, a Notary for the said County and

5 State, personally appeared JOHN J. RANDALL and ZEPHA RANDALL,

6 husband and wife, known or identified to me to be the persons

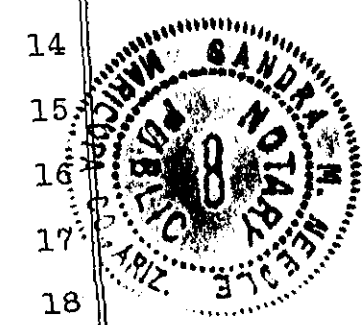
7 whose names are subscribed to the foregoing instrument, and they

8 acknowledged to me that they freely executed the same and that the

9 statements therein contained are true.

10 IN WITNESS WHEREOF, I have hereunto set my hand and affixed
11 my official seal the day and year first above written.

12 (NOTARY SEAL)



Sandra M. Needle
Notary Public for State of
Arizona, residing at
17052 R-H Johnson therein.
My commission expires on
_____, 19____.
My Commission Expires Feb. 24, 1990

22 Filed and recorded at the request of IDAHO COUNTY TITLE CO
23 at 3:30 o'clock P. M this 28 day of Mar 1988

24 By Edith L. Anderson
Deputy

25 ROSE E. GEHRING

26 Ex-Officio Auditor and Recorder
Idaho County, Idaho

27 Fee \$ 9.00
m/vault

28

The following described property situate in Idaho County, Idaho, to-wit:

A portion of the NW $\frac{1}{4}$ of Section 29, Township 23 North, Range 1 East, Boise Meridian, particularly described as being all that portion of the following described tract of land lying West of the Little Salmon River, to-wit:

Beginning at a point on the North-South Center line through Section 29 from which the Quarter Section Corner identical to Sections 20 and 29, Township 23 North, Range 1 East, Boise Meridian, bears N.0°05'W. 670 feet; thence N.89°54'W. 341 feet across the Little Salmon River; thence along the East boundary of the County Road as follows: N.9°27'E. 163.3 feet; N.35°35'E. 68 feet; S.75°27'E. 132.3 feet; N.48°05'E. 197 feet; thence S.0°05'E. 316 feet across the Little Salmon River to the place of beginning, and being a portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, Township 23 North, Range 1 East, Boise Meridian.
Being Idaho County Assessor's Tax No. 11.

MICROFILMED

JUN 20 2001

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 78-7184

Name(s) of Permit Holder: John J. or Zetha M. Randall

Post Office Address: P.O. Box 237

Pollock, Idaho 83547 Tel. No. (208) 628-3229

Source of Water: Little Salmon River

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 1 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

7/16/82

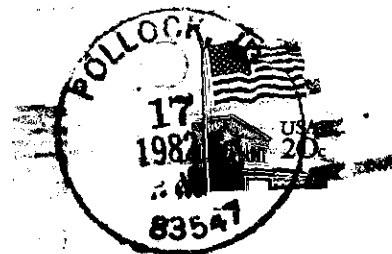
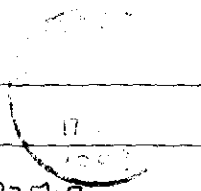
Date

John J. Randall
Signature of Permit Holder

John J. Randall

Box 237

Pollock, Idaho 83547



RECEIVED



JUL 20 1982 IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

Department of Water Resources
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant JOHN J. OR ZETHA M. RANDALL Phone 628-3229

Post office address Box 237, Pollock, Idaho 83547

2. Source of water supply Little Salmon River which is a tributary of Salmon River

3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29 Township 23N

Range R1E B.M. Idaho County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .03 cfs for Irrigation purposes from April 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .03 cfs cubic feet per second and/or b. 4.0 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. A 5½ in. pipe from bottom of the Little Salmon River to cement block sump. A "Dayton" 1½ HP electric (220) pump, mounted on sump, pumps the water into the buried sprinkler system.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is none 1 years (minimum 1 year — maximum 5 years). Work is completed.

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

RECORDED

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

[illegible]

Total number of acres to be irrigated

c. Describe any other water rights used for the same purposes as described above. Water Right
License No. 78-7055, Priority July 11, 1974, Amount 0.10 cfs from
unnamed spring that is now drying up.

9. a. Who owns the property at the point of diversion John J. and Zetha M. Randall

b. Who owns the land to be irrigated or place of use John J. and Zetha M. Randall

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks _____

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

[illegible]

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

John J. Randall
(Applicant) John J. Randall

Zetha M. Randall

Proposed Priority 9/15/1981

Received by nm Date 9-15-81 Time 11:00

Preliminary check by cm Fee \$ 30 # 20223

Receipted by cm Date 21 Sept. 1981

Publication prepared by ls Date 9.24.81

Published in Cottonwood Chronicle

Re-Advertise 11/26
Idaho County 12/3/81
Free Press

Publication dates 10/1 + 10/12/81

Publication approved ls Date 11-9-81

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

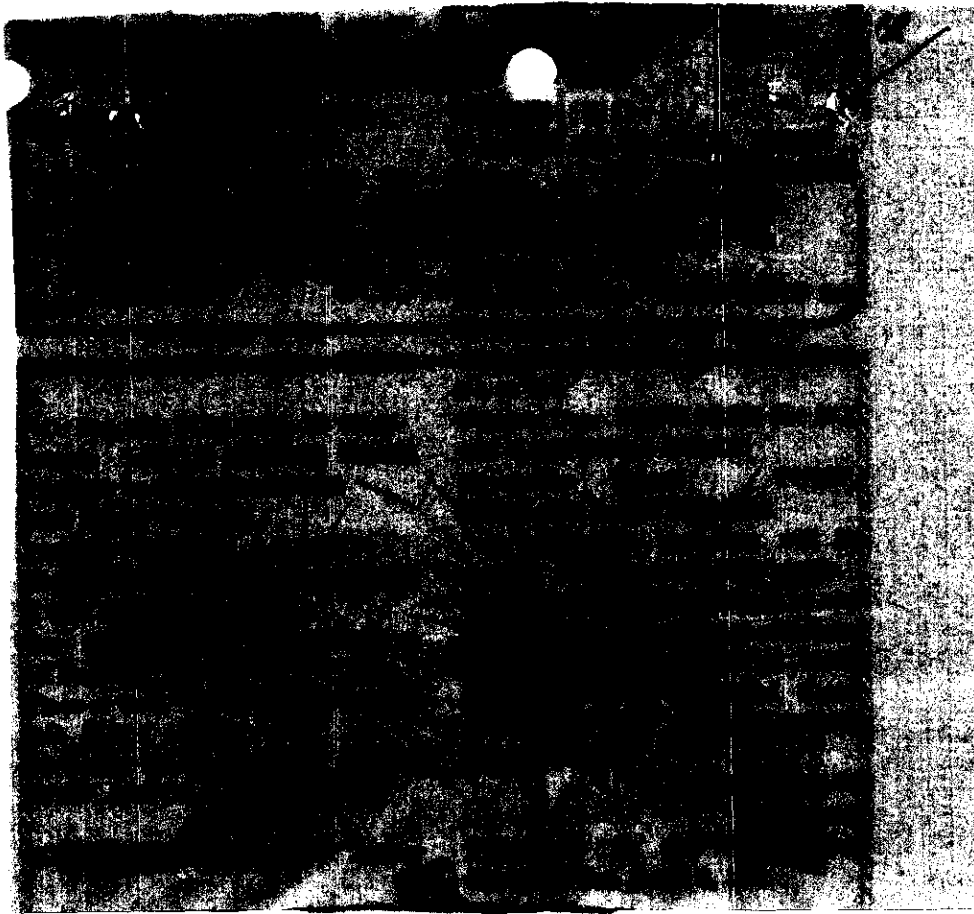
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 78-7184 , and said application is hereby APPROVED .

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1 , 19 83 .
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

Witness my hand this 4th day of January, 1982.

A. Glen Saxton
Chief, Operations Bureau



Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF IDAHO, } ss.

I, ROBERT E. WHERRY, being first duly sworn, depose and say that I am the Publisher of the COTTONWOOD CHRONICLE, a weekly newspaper, published and issued weekly at Cottonwood, Idaho County, State of Idaho, which is of general circulation in said county and state, that the said notice, of which the one hereto is attached is a true copy, was published in said newspaper for 2 weeks being published 2 times, the first publication being on the 1st day of October, 1981, and the last publication on the 8th day of October, 1981; and that the said notice was published in the newspaper proper and not in a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight (78) consecutive weeks prior to the first publication of said notice or advertisement.

Robert E. Wherry

Subscribed and sworn to before me this 3rd day
of November, 1981

Antonia E. Wherry, Notary Public,
for the State of Idaho, residing at Cottonwood, Idaho.

RECEIVED
NOV 9 1981

Department of Water Resources
Western Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

February 27, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MARY K COCUS
PO BOX 246
POLLOCK ID 83547

RE: License No. 78-7184 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

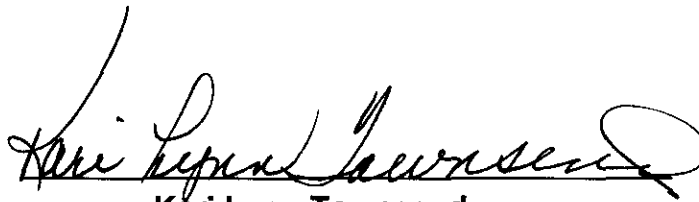
MICROFILMED
JUN 20 2001

CERTIFICATE OF MAILING

I hereby certify that on February 27, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 78-7184

**MARY K COCUS
PO BOX 246
POLLOCK ID 83547**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED

JUN 20 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

FROM: KARI LYNN TOWNSEND

DATE: February 6, 2001

TO: FILE: 78-07184

RE: Telephone conversation

I spoke with Mary Cocus today and advised her that we need to have her complete a Notice of Change in Water Right Ownership form and return it to our office with the required support documentation and filing fee.

Mrs. Cocus has had previous conversation with Kay Walker and was under the impression that her handwritten note on the Assignment of Permit form that she returned to us would be sufficient documentation to have the license issued in her name. She now understands that we need the proof of ownership of the property in order to issue the license in her name and that a \$25.00 filing fee is required.

I mailed an ownership change form to her today.

I'VE GOT MY SHEEP TOGETHER.

Kari -
thanks for your
assistance! let me
know if I need to
do anything more.
Mary Cocus



MICROFILMED

JUN 20 2001

P-870 © 3M

11/99

For Office Use Only
\$25 filing fee _____
Receipt # _____
Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

ASSIGNMENT OF PERMIT

To change the ownership of a permit

JAN 11 2003

Department of Water Resources

I, _____, hereby assign to _____

of, _____
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for Permit No. _____ to appropriate the public waters of the State of Idaho. (Describe portion of the application for permit assigned, listing the number of acres in each 40 acre subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this day of , 20 .

Permit Holder(s)

State of Idaho)
)ss
County of _____)

On this _____ day of _____, 20_____, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

MICROFILMED

Notary Public residing at

JUN 20 2002

SEAL

My commission expires:

Dear Kay -

29 January 2001

29 January 2001.
Dear Kay -
As per our conversation earlier
today - this is to notify you in writing
that John & Dee Randall are both deceased.
Mary K. Cocus

Mary K. Cocus



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

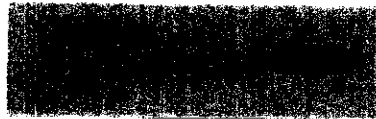
January 24, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARY COCUS
PO BOX 246
POLLOCK ID 83547

RE: PERMIT NO. 78-07184



Dear Ms. Cocus:

The Department of Water Resources is reviewing the above referenced permit prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit.

It is our understanding that you now own the property under this permit. Enclosed, for your information is a profile report of the permit as it is recorded with our office. This permit is still in the name of John J. or Zetha M. Randall and we need to have an assignment of this permit from the Randalls to you in order to change the name. A water right permit is personal property and in order for us to change our records we require an "Assignment of Permit" form along with a \$25.00 filing fee. If you do not submit the completed assignment form and \$25.00 to us, we will issue the license in the Randall's name as currently shown in our records.

If you have any questions in regard to this matter, please do not hesitate to contact me at (208)327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

*per phone conversation
1/29/01 -
Mary Cocus called -
Randalls are deceased.
Cannot obtain assignment.
Will send in a letter
stating this. KW*

MICROFILMED

JUN 20 2001

LICENSE REVIEW CHECKLIST

Permit No. 78-7184

Date: 1-23-2001 Reviewer: Kay Walker

Change/OK

need to solicit an assignment of permit

Name/Address _____

Source

Point of Diversion:

OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): _____

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.03 cfs

Fee Limit N/A cfs

Measured _____ cfs

Theoretical _____ cfs

Recommended Total Diversion Rate 0.02

Water Uses

OK Change (P46)

Season of Use per new Standards

2-15 → 11-30

Irrigation 0.02 cfs 2.0 af

Stockwater _____ cfs _____ af

Domestic _____ cfs _____ af

_____ cfs _____ af

0.02 cfs 2.0 af

Total 0.02 cfs _____ af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

>1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payoffs - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.02 cfs x 1.9835 x 290 days = 11.5 af (vs) 0.5 acres x 4.0 (FHR) = 2.0 af

3.0 (con)

Remarks:

W31

Additional Conditions

NO Watermaster Control

NO GW Measurement/Measuring Device

NO Other

NO Trust (052/R55 - remove 051)

NO Non-trust (048/049)

GW Dist? _____

Water Msmt. Dist? _____

Crit. GWMA? _____

GWMA? _____

Government Lots? NO

Advance Priority? _____

yes

no

If yes, explain why below.

SRBA Claim?

YES

Adjust memo _____

Amend Letters

P87, S06

Second Amendment Notice

S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT**RECEIVED**
AUG 16 2000
Department of Water Resources**A. GENERAL INFORMATION**Permit No. 78-71841. Owner: Cocus, Jackie and Mary Phone No. 628 3359
Current Address: PO Box 246 Pollock 835472. Accompanied by: Mrs. Cocus EXAM DATE: 10/07/1997Address: Same Phone No. _____Relationship to Permit Holder: Successor in Interest3. Source: Little Salmon River tributary to Salmon River**B. OVERLAP REVIEW**1. Other water rights with the same place of use: 78-07055 (different source)2. Other water rights with the same point of diversion: 78-07055 "**C. DIVERSION AND DELIVERY SYSTEM**

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	NW	29	23N	1E	Idaho	USGS Topo

2. Place(s) of Use:

Indicate Method of Determination PACING, USGS Topo

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	1E	29					.5												.5

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JUN 20 2001

2. Measurements: No flow measurement possible. Closed system. To underground sprinkler system.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

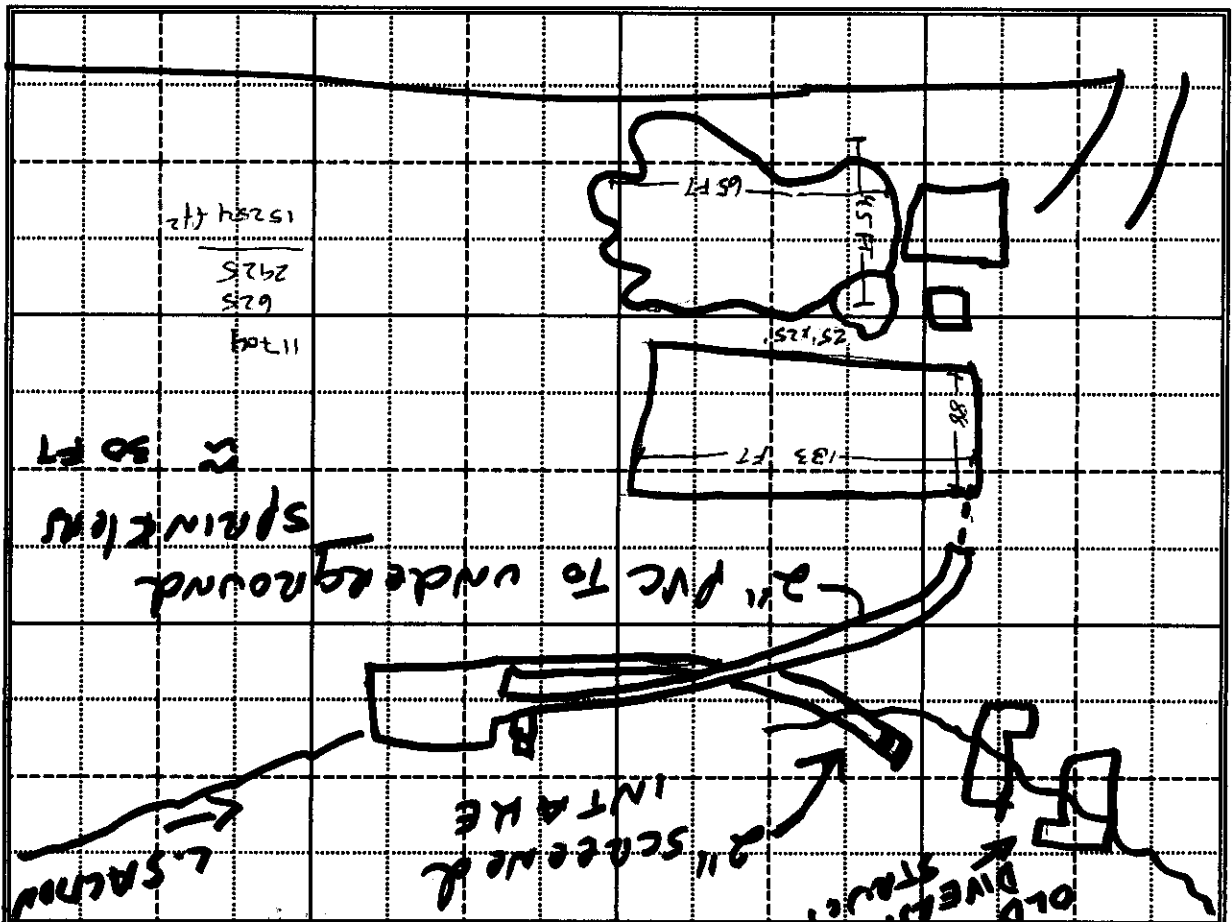
D. FLOW MEASUREMENTS

*Code to correspond with No. on map and aerial photo

Well or Diversion No.*	Motor Make	Hp	Part No. ~~Motor Serial No.~~	Pump Make	Pump Serial No. or Discharge Size
	MARATHON Elec.	1.5	3034-007		XVH 56C 34D 5524A

4.

Scale: 1" = _____
 Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
 Aerial Photo Attached (required for irrigation of 10+ acres)
 Photo of Diversion and System Attached



3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.d. as applicable.

E. NARRATIVE/REMARKS/COMMENTS

Screened intake on 2 inch flexible black PVC pipe. Pump sits on river bank - 2 inch discharge to underground sprinkler system. Place of use is lower flat area next to river and upper area closer to the houses, including some gardens. Diversion used to be cement headbox in river, which was destroyed by floods last year.

License 78-07055 is for the same place of use. That license (spring source) is no longer used for irrigation.

Irrigated portions were paced off. Approximately 15,254 ft² were found, plus some very small areas of lawn and/or garden.

Property now owned by Mary ~~Lee~~ Cocus, who filed the SRBA claim. Her husband is deceased. She does not know where the permit holder is, and indicated that a change of ownership rather than an Assignment is acceptable.

Diversion is located ~~on~~ near the line between NENW + NWNE.

Have conditions of permit approval been met? ☒ yes ☐ no

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JUN 20 2001

Additional Computation Sheets Attached

NONE

1. Volume Calculations for Irrigation:

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .02 \times 275 \times 1.9835 = 10.91$$

$$V = \text{Smaller of } V_{LB} \text{ and } V_{DB} = 2.0$$

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>IRR</u>	<u>3-1</u>	<u>11-30</u>	<u>.02</u>	<u>2.0</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Totals:			<u>.02</u>	<u>2.0</u>

___ Change P.D. as reflected above ___ Add P.D. as reflected above ☒ None
 ___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

Field Examiner's Name J. J. [Signature] Date 01/06/1998

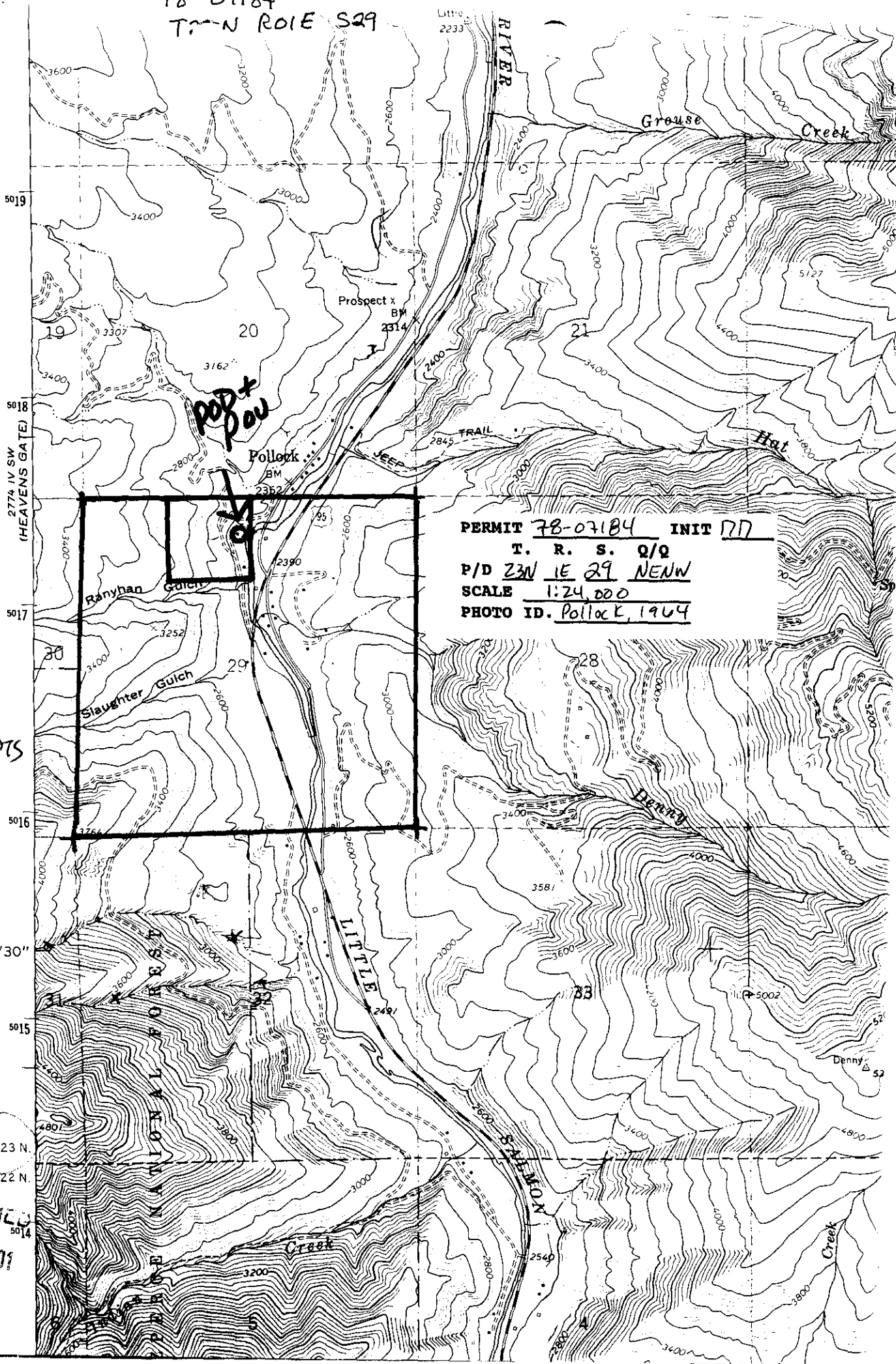
Reviewer	Date
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SEAL

MICROFILMED

ju 20 2001

78-07184
T. R. S. 229

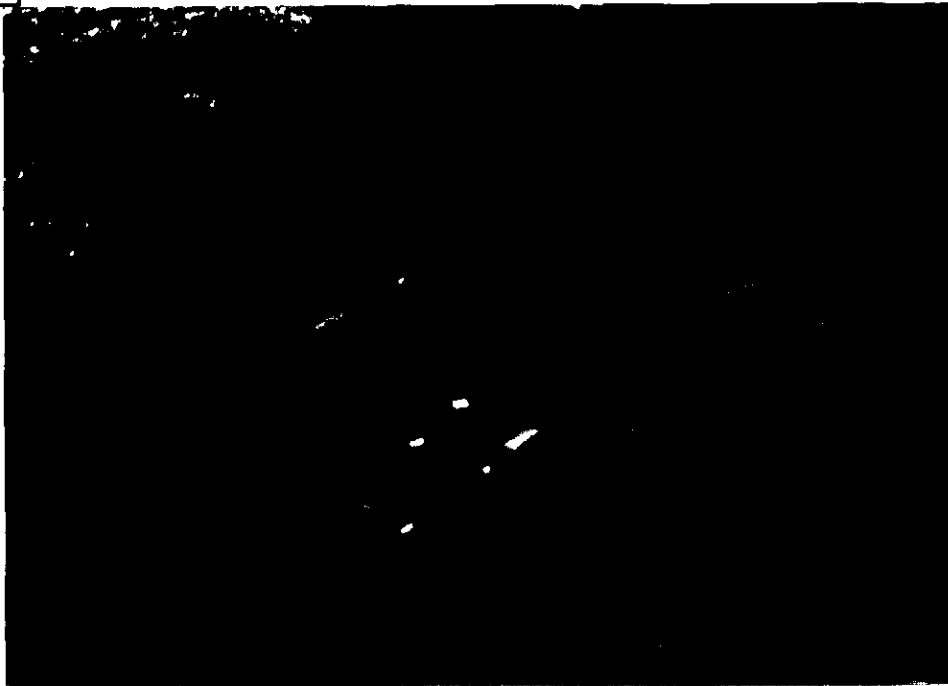


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JUN 20 2001



PHOTOGRAPHER AND DATE OF PHOTOS 777WICVCC 10/07/1997

FILE NO. 78-07184 T23N R01E S. 29 NENW



Pump located on
banks of Little
Salmon River

2" screened
black PVC
intake pipe.

2" outlet to
underground
sprinkler system



Old diversion
structure:

Concrete structure
in river which
was washed out
by floods last
year (winter of
96-97).

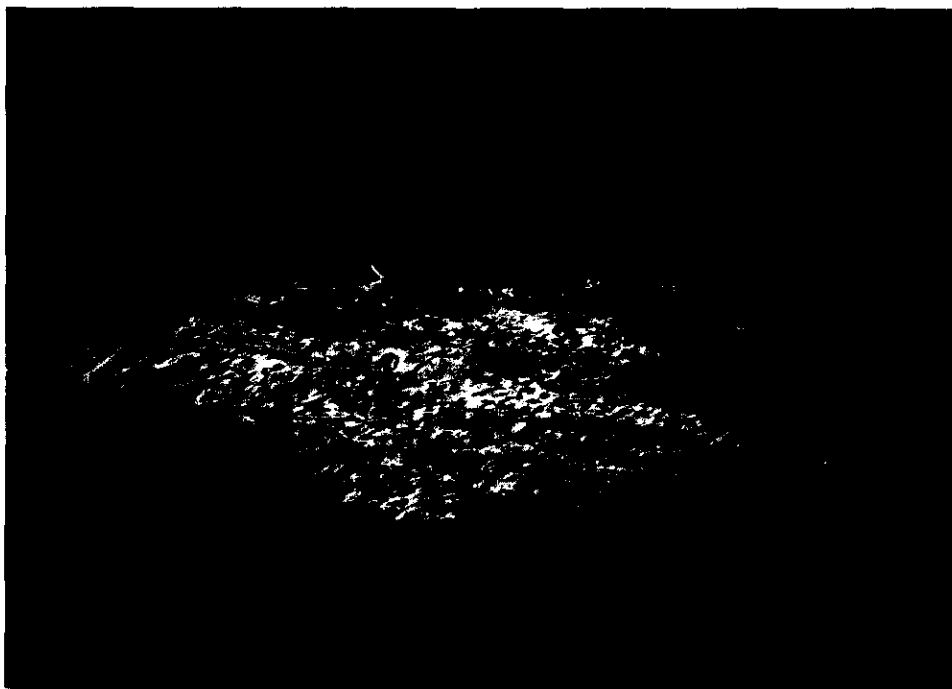
MICROFILMED

JUN 20 2001

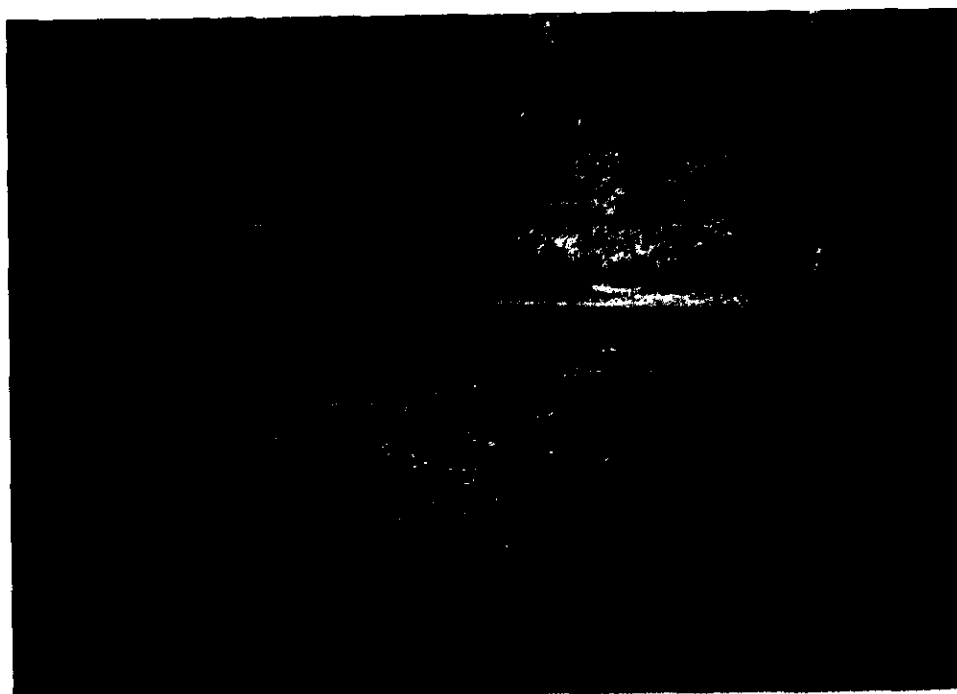


PHOTOGRAPHER AND DATE OF PHOTOS TTWICKER 10/07/1997

FILE NO. 78-07184 T23N R01E S. 29 NE NW



Place of use. Parcel
is located right
next to river.
Floods deposited
sand, which applicant
is removing over
time.



Place of use - upper
parcel near homes.

MICROFILMED

JUN 20 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

Re:

Dear _____:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

☐ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Judy Pense

Judy Pense
Secretary

RECEIVED
JUL 11 1984
WATER RESOURCES
BOISE, IDAHO

July 12, 1982

John J. or Zetha M. Randall
Box 237
Pollock, ID 83547

Dear Mr. and Mrs. Randall:

Re: Permit No. 78-7184

Pursuant to your letter of June 20, 1982, enclosed is the form the department uses to notify the regional offices that a field inspection is needed.

Simply, complete and return the postcard to this office. Later, a field examiner will contact you to set up a time to do the field inspection.

If you have any questions concerning this matter, please feel free to contact me.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosure

Rockport, Ma

P. 1/2

RECEIVED

Mr. David H. Smith Esq.

JUN 23 1982

June 20, 1982

Department of Water Resources

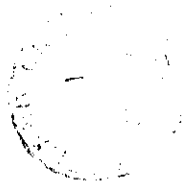
Re: Permit No. 78-7184

Construction - necessary work
project area has been completed
& is ready for inspection.

John A. & John M. Randall
by John M. Randall

1

Box 237
Peelock, Okla
83547



MICROFILM

Waterloo
Statehouse
Banc, Ind 83720

Mr. Harold H. Fathridge.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

RANDALL, JOHN J. & ZETHA M.
P.O. BOX 237
POLLOCK, ID 83547

JANUARY 13, 1982

RE: PERMIT NO. 78-7184

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

RECEIVED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: em

APPLICATION NUMBER: 78-7184
RANDALL

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. 78-7055, 7138
☒ Yes ☐ No* In form for advertising. 4/22/81 LITTLE SALMON
Final date for protests: 10/19/81 SPRING ACR 1.03
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.
Dec 12, 1981

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: Nov 9, 1981
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 30.00 20223
☒ Publication dates and paper, recorded on application. 10/11 & 10/21/81 2 copies County
☒ Protests, dates, withdrawal, etc., recorded on application. 2nd page
☒ Recommendation & initial, recorded on application. 1/26 & 2/3
☒ Yes ☒ No Measuring device required.
☒ Yes ☒ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
9/15/81 Date of priority recommended.
Special conditions of approval or cover letter. SEE

By: DBS Date: 11/16/81

STATE OFFICE REVIEW:

5/10/cond

- ☐ See attached sheet for more information.
By: Rabap

Date: 12/29/81

RECEIVED
DEC 11 1981

28-2184

RANDALL, JOHN J. &/or ZETHA M.

P.O. BOX 237, POLLOCK, ID 83547

Source: LITTLE SALMON RIVER tributary to SALMON RIVER

Date Filed: 09/15/1981

Amount: 0.03 CFS 4.0 AC-FT

Diversion Point: NENW Sec 29 T 23N R 01E, IDAHO Co.

Use: IRRIGATION (0.03 CFS) from 04/01 to 10/31

Place of Use: NENW Sec 29 T 23N R 01E FOR 1 ACRES

Diversion Means: PIPE, BLOCK SUMP, MOTOR & SPRINKLERS

RECORDED