

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 34-00337

1998 MAR 31 PM 12: 53

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: LOST PEAKS RANCH INC
C/O DANIEL P MULICK PRESIDENT
5536 OLD CHILLY RD
HC 86 BOX 4115
MACKAY ID 83251

SOURCE: SPRING
HOWELL SPRING

TRIBUTARY: SINKS
SINKS

QUANTITY: 3.2 CFS

RECEIVED

APR - 1 1998

Department of Water Resources
Adjudication Bureau

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER
DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT
WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 6.09 CFS.
COMBINED RIGHT NOS.: 34-00335 AND 34-00336.

PRIORITY DATE: 06/01/1917

POINT OF DIVERSION: T09N R21E S31

NWENW
LOT 1 (SWNNW)
LOT 2 (NESWNW)
LOT 2 (SWSWNW)
NWSNW

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION
STOCKWATER

PERIOD OF USE
Irrigation Season
01-01 12-31

QUANTITY
3.2 CFS
0.02 CFS

PLACE OF USE:

IRRIGATION Within CUSTER County
T09N R21E S29 SWSW 28
S30 Lot 1 (SESE)37
S31 NENE 40
S32 NENW 25
213 ACRES TOTAL

NWNE 23
NWNW 40

NENW 16 Lot 1 (NWNW) 4

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 213 ACRES IN A SINGLE
IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00335 AND 34-00336.

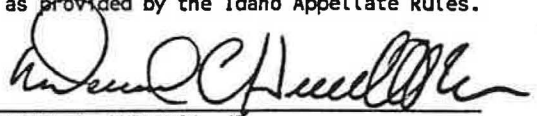
Place of use for STOCKWATER is same as IRRIGATION

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

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

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.

A handwritten signature in black ink, appearing to read "Daniel C. Hurlbutt, Jr.", written over a horizontal line.

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

Water Right Number - R34-00337

Adj. Flag Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
COATES

LOLA L.

1 - STAR RT.

2 -

3 -

City- MACKAY

State- ID Zip- 83251

Phone - 208-588-2812

+ - - Priority Date - - +
06/01/1917

+ - - - Region - - - +
15 Error in Region

+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - - +
SPRING
HOWELL SPRING

+ - - - - Tributary - - - - - +
SINKS
SINKS

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County (Blank if no Index Code)

09N	21E	31	NW NE NW		(37)	CUSTER
09N	21E	31	SW NW NW	1	(37)	CUSTER
09N	21E	31	NE SW NW	2	(37)	CUSTER
09N	21E	31	SW SW NW	2	(37)	CUSTER
09N	21E	31	NW SE NW		(37)	CUSTER

Code		Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION			05/01	10/15		3.200	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.200

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09N	21E	29	SW SW		28.0	01	IRRIGATION	(37) CUSTER
09N	21E	30	SE SE	1	37.0	01	IRRIGATION	(37) CUSTER
09N	21E	31	NE NE		40.0	01	IRRIGATION	(37) CUSTER
09N	21E	31	NW NE		23.0	01	IRRIGATION	(37) CUSTER
09N	21E	31	NE NW		16.0	01	IRRIGATION	(37) CUSTER
09N	21E	31	NW NW	1	4.0	01	IRRIGATION	(37) CUSTER
09N	21E	32	NE NW		25.0	01	IRRIGATION	(37) CUSTER
09N	21E	32	NW NW		40.0	01	IRRIGATION	(37) CUSTER

Total Acres: 213.0

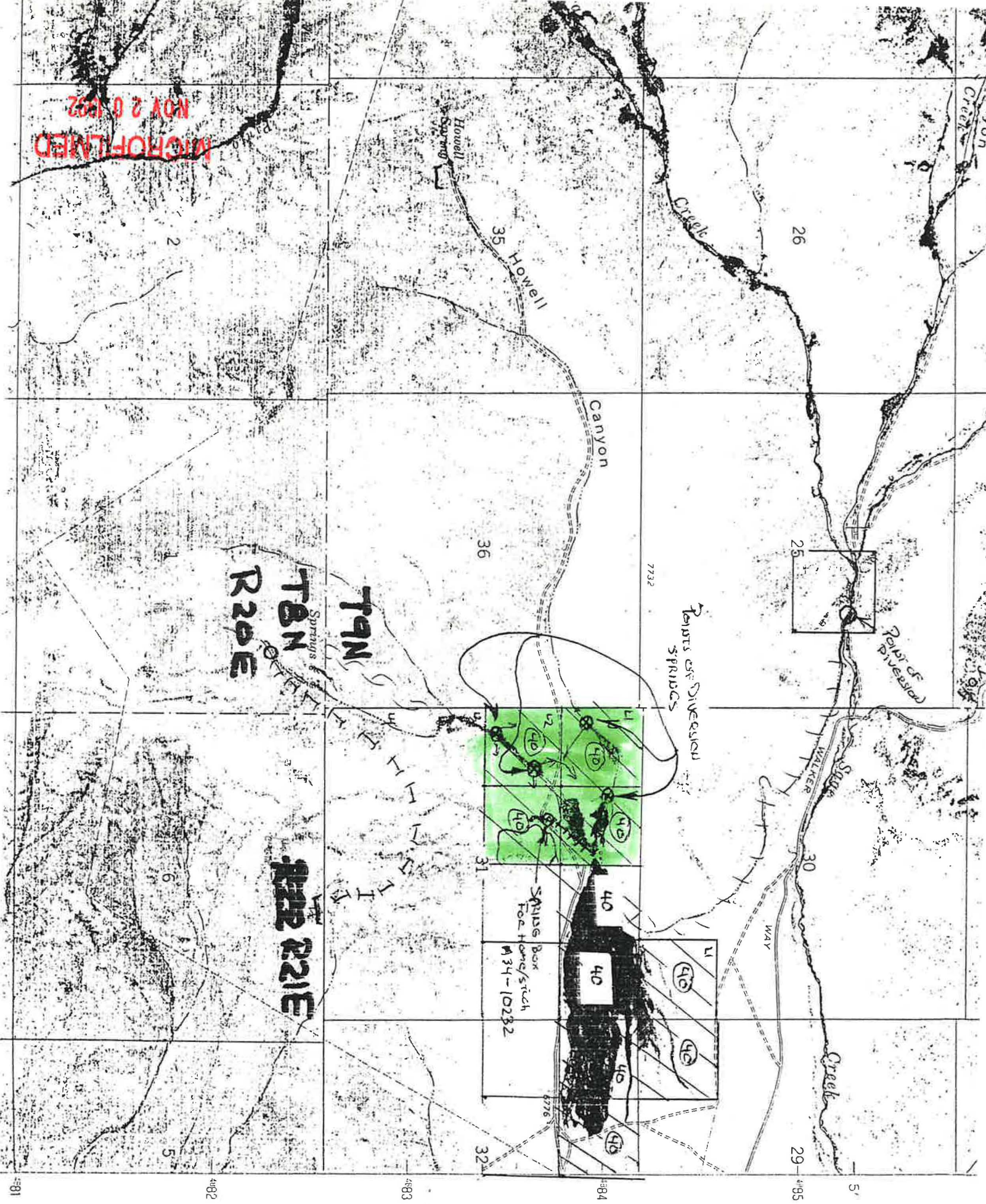
+ - - Diversion Means - DITCHES FROM SPRING FLOW TO FLOOD IRRIGATE PASTURES

+ - - Non-Irrigation Use - INCIDENTAL STOCKWATERING FOR 400 HEAD RANGE CATTLE

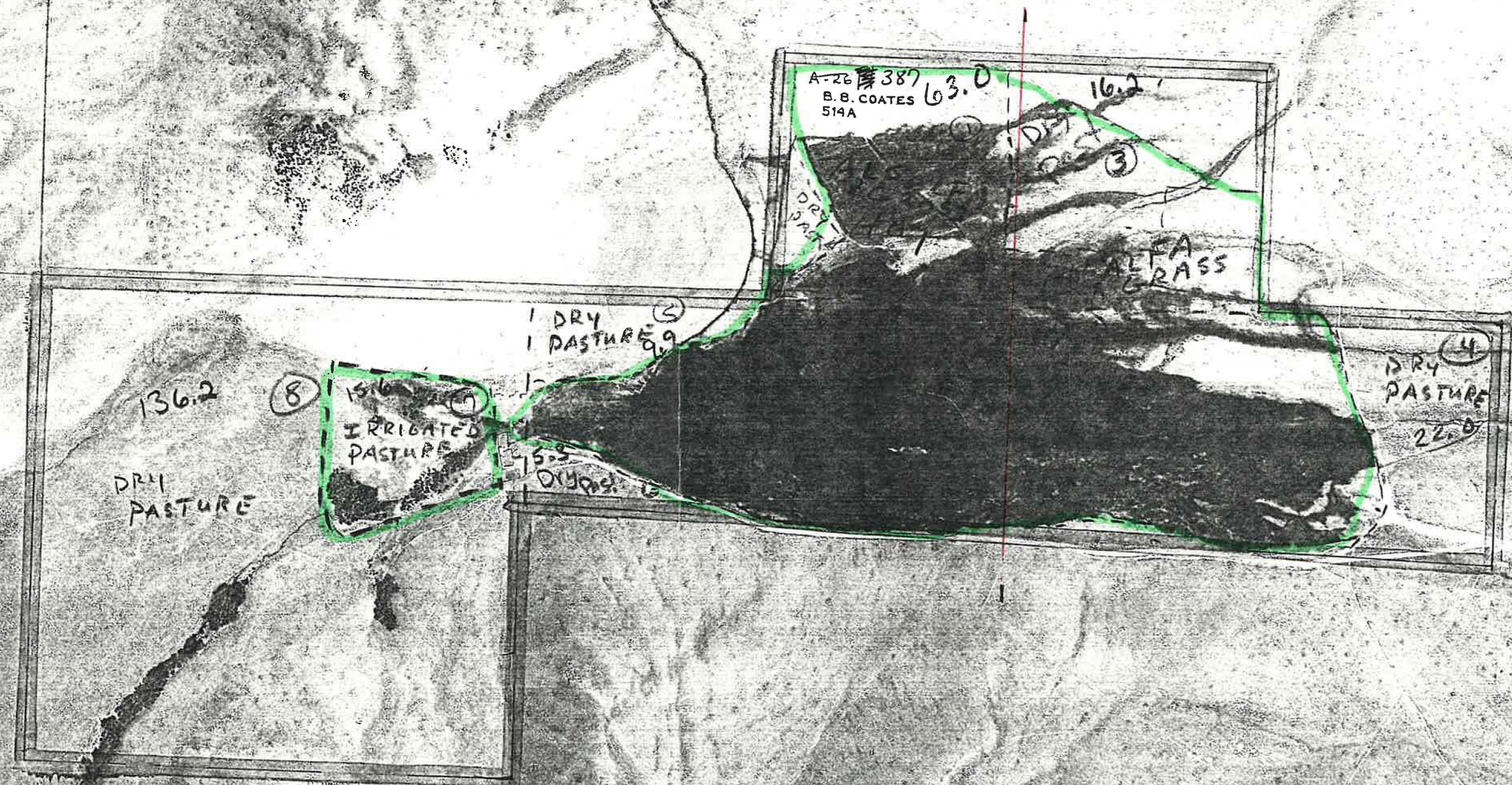
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H & SONS
FSU-2
Delvin Hale
T-7



450 X

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: A34-00337
Date Received: 12/04/1989
Receipt No: 6011244
Received By: SEA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOLA L. COATES 208-588-2812
Address: STAR RT.
MACKAY, ID 83251

2. Date of Priority: JUN 01, 1917

3. Source: SPRING Trib. to: SINKS
HOWELL SPRING SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	21E	32	NW	NE	NW		CUSTER
			SW	NW	NW	1	CUSTER
			NE	SW	NW	2	CUSTER
			SW	SW	NW	2	CUSTER
			NW	SE	NW		CUSTER

5. Description of diverting works:
DITCHES FROM SPRING FLOW TO FLOOD IRRIGATE PASTURES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/15	3.200		

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

8. Total consumptive use is 1000.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING FOR 400 HEAD RANGE CATTLE

A34-00337

Page 1

Date: 12/04/89

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	21E	29	SW	SW		IRR	40.0
						Section Acres	40.0
		30	SE	SE	1	IRR	40.0
						Section Acres	40.0
		31	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW	1	IRR	40.0
			SW	NW	2	IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	240.0
		32	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
						Section Acres	80.0
						Total Acres	400.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
34-00335, 00336

14. Remarks:
P/D PRIVATE DITCH

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 10/21/1925

UTAH CONSTRUCTION
Decree Plaintiff

vs

JOHN F. ABBOTT, ET AL
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): Lola L. Coates Date: Dec. 4, 1989

Date: _____

State of Idaho)
County of Sonneville) SS.

Subscribed and sworn (or affirmed) before me this 4 day
of December 19 89



Notary Public

Seal

RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES 6-22-1994

Residing at _____

My Commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:51:26
07/26/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A34-00337

LAST: COATES
ADDRESS: STAR RT.
CITY: MACKAY
PHONE NUMBER: 208-588-2812

FIRST: LOLA L.
STATE: ID ZIP: 83251

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: P/D PRIVATE DITCH

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

Tom Coates

PHONE NUMBER: () -

DATE OF FIELD EXAM:

8-29-90

APPOINTMENT MADE: Y() N(X)

TIME: : A() P()

ACCOMPANIED BY:

Tom Coates

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A34-00337 PRIORITY DATE: 06-01-1917 STAGE: D

B. WR RECORD: # 34-00337 PRIORITY DATE: 06-01-1917 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:
06-01-1917

REVIEWED BY DC

DATE

12/22/90

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A34-00337	09N	21E	32	SW	NW	NW	1	CUSTER
A34-00337	09N	21E	32	NE	SW	NW	2	CUSTER
A34-00337	09N	21E	32	SW	SW	NW	2	CUSTER
A34-00337	09N	21E	32	NW	SE	NW		CUSTER
A34-00337	09N	21E	32	NW	NE	NW		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SPRING
HOWELL SPRING

TRIB: SINKS
SINKS

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
34-00337	09N	21E	32		NW	NW		CUSTER

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: SPRING
HOWELL SPRING

TRIB: SINKS
SINKS

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

4

REMARKS:

change all to sec 31.

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: SPRING

TRIB: SINKS

REVIEWED BY: DCDATE: 12/27/90

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A. ROOT WATER RIGHT NUMBERS: A34-00337

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09N	21E	31	NW	NW	1	COATES , LOLA L.	A34-00337 /40.0	- /		4.0	
09N	21E	31	SW	NW	2	COATES , LOLA L.	A34-00337 /40.0	- /			
09N	21E	31	SE	NW		COATES , LOLA L.	A34-00337 /40.0	34-00337 /	4.0		
09N	21E	29	SW	SW		COATES , LOLA L.	A34-00337 /40.0	34-00337 /	26.0	28.0	
						COATES , LOLA L.	A34-00335 /40.0	- /			
						COATES , LOLA L.	A34-00336 /40.0	- /			
09N	21E	30	SE	SE	1	COATES , LOLA L.	A34-00337 /40.0	- /		37.0	
						COATES , LOLA L.	A34-00335 /40.0	- /			
						COATES , LOLA L.	A34-00336 /40.0	- /			
09N	21E	31	NE	NE		COATES , LOLA L.	A34-00337 /40.0	34-00337 /	38.0	40.0	
						COATES , LOLA L.	A34-00335 /40.0	- /			
						COATES , LOLA L.	A34-00336 /40.0	- /			
09N	21E	31	NW	NE		COATES , LOLA L.	A34-00337 /40.0	34-00337 /	23.0	23.0	
						COATES , LOLA L.	A34-00335 /40.0	- /			
						COATES , LOLA L.	A34-00336 /40.0	- /			
09N	21E	31	NE	NW		COATES , LOLA L.	A34-00337 /40.0	34-00337 /	15.0	16.0	
						COATES , LOLA L.	A34-10232 /	- /			
09N	21E	32	NE	NW		COATES , LOLA L.	A34-00337 /40.0	34-00337 /	25.0	25.0	
						COATES , LOLA L.	A34-00335 /40.0	- /			
						COATES , LOLA L.	A34-00336 /40.0	- /			
09N	21E	32	NW	NW		COATES , LOLA L.	A34-00337 /40.0	34-00337 /	40.0	40.0	
						COATES , LOLA L.	A34-00335 /40.0	- /			
						COATES , LOLA L.	A34-00336 /40.0	- /			
TOTAL ACRES A34-00337							400.00		171.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

4

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PRESUMPTION FLAG: D REMOVE

REMARKS:

=====

RECOMMENDATIONS:

TOTAL ACRES: 213

REVIEWED BY: DC

DATE: 12/27/90

=====

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A34-00337 IRRIGATION	FROM 05-01 TO 10-15	3.200 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.200 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
34-00337 IRRIGATION	FROM 05-01 TO 10-15	3.200 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.200 CFS

PRESUMPTION FLAG:

D

Remove

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(X) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

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NOV 20 1992

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(X) N()

AJ TOTAL CLAIMED DIVERSION RATE: 3.200 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.200 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 34-00335, 00336

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A34-00337	SPRING	COATES , LOLA L.	3.200	0.008		
	HOWELL SPRING					
A34-00335	SAGE CREEK	COATES , LOLA L.	3.200	0.013		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A34-10232	DOMESTIC	COATES , LOLA L.	FROM 01-01 TO 12-31	.040 CFS	
A34-10232	STOCKWATER	COATES , LOLA L.	FROM 01-01 TO 12-31	.090 CFS	

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 213 x 0.02 CFS/ACRE = 4.26 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 1000.0 AF/A

ACRES 213 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE 532.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 213 x DIVERSION VOL. AF/A FOR AREA 3 =
TOTAL DIVERSION VOLUME 639 AF/A

$168(1.9835)3.2 = 1066.$

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	05-01 10-15	DATABASE EXAMINER 3.200	DATABASE EXAMINER 639	DATABASE EXAMINER 1000.0
TOTAL FOR THIS RIGHT		3.200		1000.0 532.5

REVIEWED BY: DC

DATE: 11/15/91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(X)	()
FORFEIT/ABANDON _____	(X)	()
ADDITIONAL DIV. AMOUNT _____	(X)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 34-00337

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	3.200	_____	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A34-00337	3.200	-		34-00337	3.200
TOTAL CFS		3.200				3.200

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE	FIELD EXAMINER
Y	_____

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:51:26
07/26/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A34-00337

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHQM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y		DC 8/29/90	Yes	1,2,4,5		DC 11/15/91	
SOURCE								
PLACE OF USE	Y		DC 8/29/90	Yes	1,2,4,5		DC 11/15/91	
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y			N				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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29

Points of Discussion
springs

لبن
نمک

2004

Canyon

Howell

35

32

79N

**Spring
TECH**

刀心

卷之四

MICROFILMED

NOV 20 1992

— —

1923

31

511

511. 2.1.1

SURVEYED



OSCAR

SECOND:

STANDARD

NOV 20 1992

Survivors Designated by Whom Survived

to

... in the ...

11

Dr. Wm. Brewster

100

1000

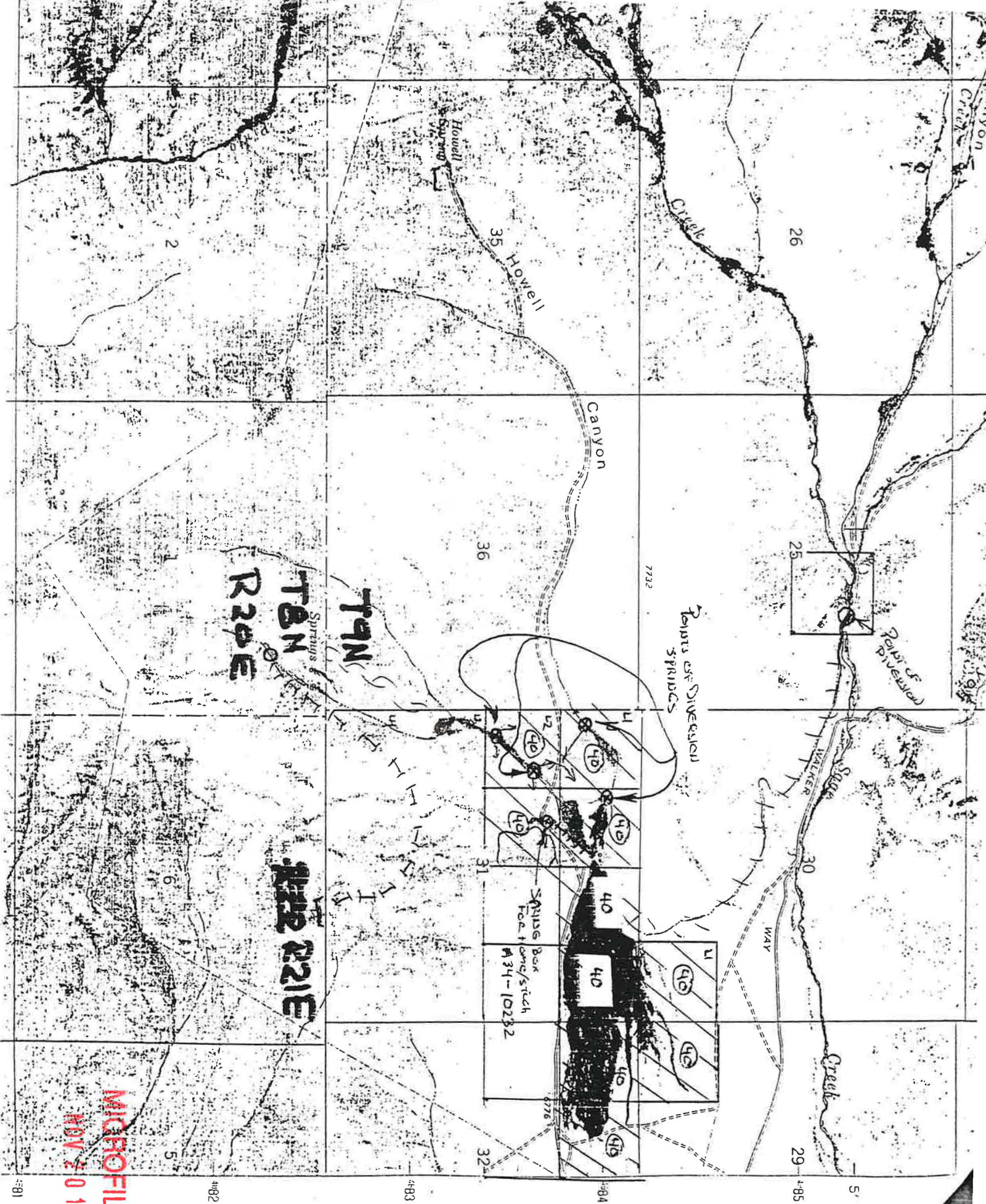
2

•

1

11

1.



T8N
R20E

T9N
R22E

Taurus off Divesion
spruces

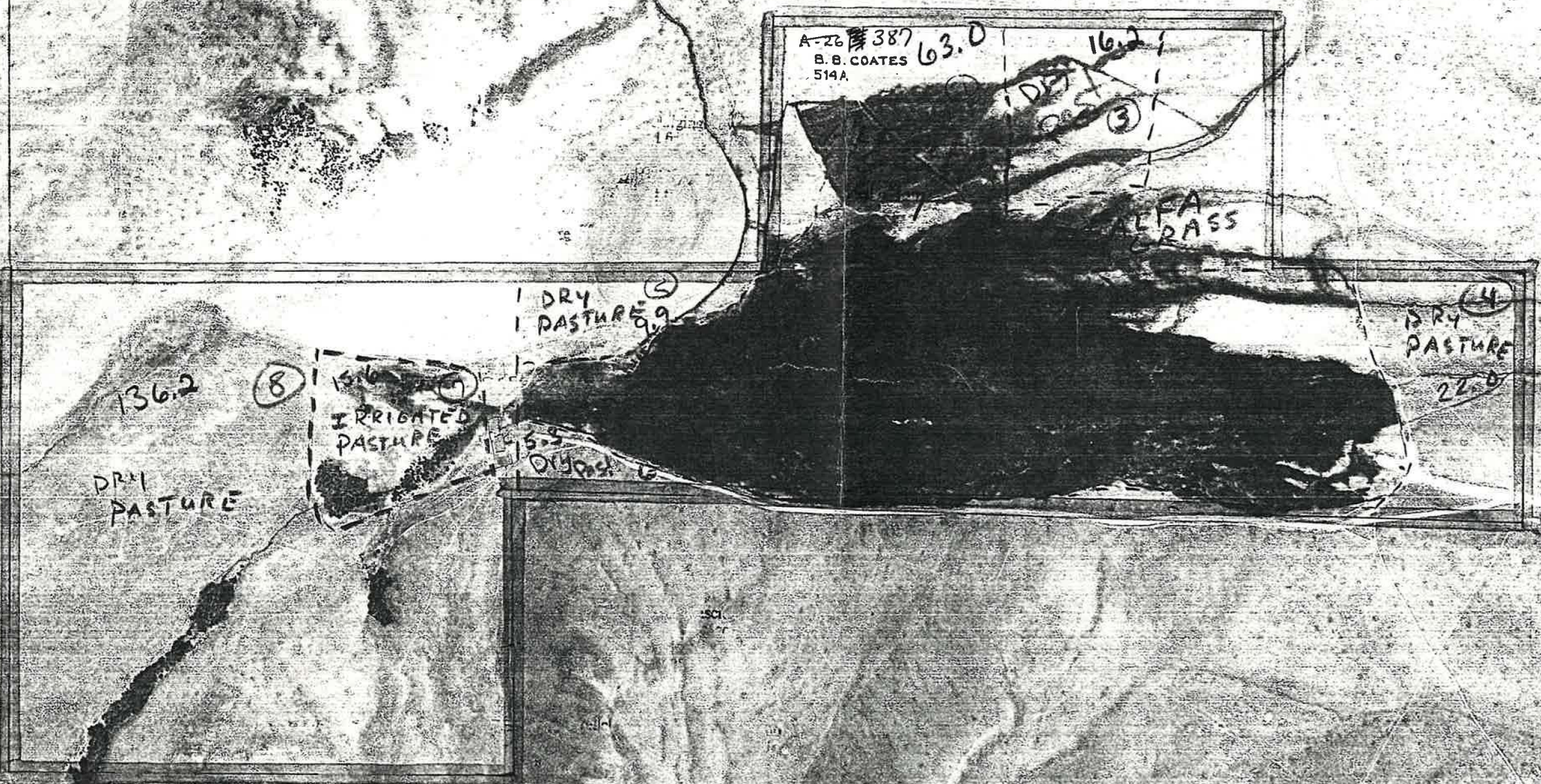
Box Foot long/stick
#34-10232

MICROFILMED

NOV 10 1992

T
T
T

FSU-2
VS DeLain Hale
T-7



MICROFILMED
NOV 20 1992

NOTES
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RESPONSE TO NOTICE OF ERROR
IN THE SNAKE RIVER BASIN ADJUDICATION

IDWR USE ONLY	
Date	Initials
Date Entered	
Verified	

Water Right No: 34-00335, 336, 337

Contact Date: 3/23/92

IDWR Contact Person: (print and sign) DAVE CARLSON

Claimant Contact Person Tom Gates

Others Present _____

Contact By: (Give Date) _____

Meeting (location): _____

Phone Call _____

Letter (attach letter) _____

I. Changes to be made to proposed recommendation: _____

*Wanted 400 acres as decreed (NO CHANGE)

1. STOCKWATER OUTSIDE IRRIGATION SEASON

II. Explanation of reasons for recommendation: _____

III. Other: _____

MICROFILMED

NOV 20 1992

MEMPHIS

von 0 5 von

Water Right Number - R34-00337

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
COATES

LOLA L.

1 - STAR RT.

2 -

3 -

City- MACKAY

State- ID Zip- 83251

Phone - 208-588-2812

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/01/1917 15 EASTERN D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SPRING SINKS
HOWELL SPRING SINKS+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
09N 21E 31 NW NE NW (37) CUSTER
SW NW NW 1 (37) CUSTER
NE SW NW 2 (37) CUSTER
SW SW NW 2 (37) CUSTER
NW SE NW (37) CUSTER+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 10/15 3.200
04 - STOCKWATER 10/16 04/30 0.020+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.200 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09N 21E 29 SW SW 28.0 01 IRRIGATION (37) CUSTER
09N 21E 30 SE SE 1 37.0 01 IRRIGATION (37) CUSTER
09N 21E 31 NE NE 40.0 01 IRRIGATION (37) CUSTER
09N 21E 31 NW NE 23.0 01 IRRIGATION (37) CUSTER
09N 21E 31 NE NW 16.0 01 IRRIGATION (37) CUSTER
09N 21E 31 NW NW 1 4.0 01 IRRIGATION (37) CUSTER
09N 21E 32 NE NW 25.0 01 IRRIGATION (37) CUSTER
09N 21E 32 NW NW 40.0 01 IRRIGATION (37) CUSTER

Total Acres: 213.0

+ - - Diversion Means - DITCHES FROM SPRING FLOW TO FLOOD IRRIGATE PASTURES

+ - - Non-Irrigation Use - STOCKWATER 400 HEAD CATTLE

MICROFILMED
NOV 20 1992

Water right number - R34-00337

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - 34-00335, 00336

+ - - - - - *6.66* Remarks - - - - - +
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF ~~5.70~~ CFS, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 532.5 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 213 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.:34-00335, 34-00336.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
N01 - THE APPROPRIATOR IS ENTITLED TO THE AMOUNT OF WATER DESCRIBED
- ABOVE FOR STOCKWATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE
- DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED ABOVE.
N02 - THE PORTION OF THIS RIGHT FOR STOCKWATER PURPOSES MAY BE DIVERTED
- SO LONG AS THE AMOUNT OF WATER DIVERTED AT THE POINT OF DIVERSION
- FOR STOCKWATER PURPOSES DOES NOT CONSTITUTE UNREASONABLE WASTE
- AND DOES NOT CONFLICT WITH THE PUBLIC INTEREST, AS DETERMINED BY
- THE DIRECTOR.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
UTAH CONSTRUCTION JOHN F. ABBOTT,ET AL 10/21/1925

+ - - - - - Comments- - - - - +
Date: 04/16/1992 User Id: DCARLSON Subject: NOTICE OF ERROR
ADDED STOCKWATER OUTSIDE IRR SEASON

+ - - Audit Fields - - +
04/23/92 DCARLSON

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 08/29/1990	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/04/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E011244	Water District	- 34
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	- C

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NOV 20 1992

NOTICE OF ERROR FORM

JAN-18-1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: MAR-02-1992

1. Water right number: [✓] 34-00337

2. Name: LOLA L. COATES

Address: STAR RT.

MACKAY, IDAHO 83251

Weekday Telephone Number:

588-2812 (Tom)

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE



Department of Water Resources

MICROFILMED
NOV 20 1992

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

POINT OF DIVERSION DOES NOT INCLUDE T8N R20E Sec 1
THIS DOES NOT ALLOW FOR NON-IRRIGATION (STOCKWATER) PURPOSES.
TOTAL ACRES TO BE USED ON HAS BEEN CHANGED BY DWR -
In the places of use, 2 errors of legal descriptions need
to be changed.

4. Describe the changes you wish to have made in the proposed recommendation:

Very numerous -

5. Describe why you disagree with the proposed recommendation:

This does NOT follow the original decree as
adjudicated prior to 1992.

6. Date: 19 Feb 92

SIGNATURE Thomas Coates for Lola L. Coates



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

18-Apr-1994

LOST PEAKS RANCH INC
HC 86 BOX 4115
5536 OLD CHILLY RD
MACKAY ID 83251

RE: Snake River Basin Adjudication (SRBA)
Notice(s) of Claim # 34-00335, 34-00336, 34-00337,
34-10232.
Change in Ownership

Dear Mr. Mulick:

Please find enclosed a Substitution of Party form(SF3), copies of the water rights as they are filed in the Director's Report, and, a copy of the Change in Ownership form you submitted for the Claim(s) mentioned above.

Although IDWR has received the request to change ownership into your name, further action by you is needed before the requested change can be finalized. SRBA Judge Daniel C. Hurlbutt Jr. issued an Order dated June 17, 1993 requiring claimants identified in a Director's Report for the Big Lost River Basin to use SF3 for recording changes in water right ownerships. You will need to follow the directions on mailing SF3 in order for the court to change the name in the Director's Report. **Send with the SF3, copies of the water rights I have enclosed.** After we have received a copy of SF3 from the district court we will then change our records to show you as the new owner, and send copies of the claims to you.

If you have any questions do not hesitate to contact IDWR (208)525-7161, or, the District Court (208)736-3011.

Respectfully,

Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: SF3; copies of water rights

cc: James Bennetts

SF3 RECEIVED/Processed
4-13-94

MICROFILMED
NOV 18 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED
APR 14 1994

Department of Water Resources
Eastern District Office

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 09 N Range 21 E., B.M.
Section 29, 30, 31, 32 1/4 of * 1/4 of 1/4 Govt. Lot _____, B.M.
Lot _____, Block _____, Subdivision/Townsite _____.

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

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: 34, 10232, 34-00335, 34-00336, 34-00337

☐ Name and Address of Former Owner/Claimant(s)(Seller): LOLA L. COATES
STAR ROUTE
MACKAY ID 83251

☐ New Owner/Claimant (Purchaser): LOST PEAKS RANCH, INC.

☐ New Mailing Address: C/O DANIEL P. MULICK
HC 86, BOX 4115
5536 OLD CHILLY ROAD, MACKAY, ID 83251

☐ New Telephone Number: (208) 588-3023

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

☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Lost Peaks Ranch Inc Date _____
By Daniel P. Mulick Pres Date 4/8/94

☐ Signature of Former Owner/Claimant(s): Lola L. Coates Date 4-8-94
Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____

Further Action Needed:

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: _____ By: _____

Claim Numbers of Split, if any:

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NOV 18 1996

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

reversions, remainder and remainders, rents, issues, and profits thereof, and all estate, right, title and interest in and to the property, as well in law as in equity.

TO HAVE AND TO HOLD, all and singular the above-described premises together with the appurtenances unto grantee and to its successors and assigns forever.

And grantor and her heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of grantee, its successors and assigns against grantor and her heirs and against all and every person and persons whomsoever lawfully claiming the same.

IN WITNESS WHEREOF grantor has hereunto set her hand on the day and year first above written.

Lola Louise Coates
Lola Louise Coates, Grantor
d.c.

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 28 day of JUNE, 1993, before me, the undersigned Notary Public in and for the State of Idaho, personally appeared Lola Louis Coates known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

(SEAL)

James D. McElvey
Notary Public for State of Idaho
Residing at: Mackay, Idaho
My Commission Expires: 5-31-94

WARRANTY DEED

WARRANTY DEED made this 25th day of June, 1993, between Lola Louis Coates, herein referred to as "grantor", and Siegel-Horton Associates, whose mailing address is P.O. Box 1788, Idaho Falls, ID 83403-1788, herein referred to as "grantee, witnesseth:

That grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, grantor has granted, bargained, and sold, and grantor does, by these presents, grant, bargain, sell, convey, and confirm unto grantee and to their successors and heirs and assigns forever, all the following described real estate located in the County of Custer, State of Idaho:

Township 9 North, Range 21 E.B.M., Custer County, Idaho

Section 29: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 30: Lot 1

Section 31: Lot 1, 2, N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$

Section 32: N $\frac{1}{2}$ NW $\frac{1}{4}$

Subject to:

1. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the premises or by making inquiry of persons in possession thereof.
2. Easements, claims of easement or encumbrances which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
4. Unpatented mining claims; reservations or exception in patents or in acts authorizing the issuance thereof,
5. Taxes and assessments for the year 1993 and all subsequent years.
6. Levies and assessments of Big Lost River Irrigation District, if any.
7. Underground Right-of-Way Easement recorded as Instrument No. 157039 in the records of Custer County, Idaho.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, specifically including the reversion and

STATE OF IDAHO)
 : ss.

County of Custer)

On this 8th day of
APRIL, 1994, before
me, a Notary Public, per-
sonally appeared JACK
HORTON

known or identified to me
to be the person(s) whose
name(s) are subscribed to
the within instrument, and
acknowledged to me that
he executed the same.

Patsy Kindt
Notary Public
Residing at Challis
Commission Expires 3/12/98

STATE OF IDAHO, COUNTY OF

I hereby certify that this instru-
ment was filed for record at the
request of _____
at _____ minutes past _____
o'clock _____ M., this _____ day of
_____, 19____, in my office,
and duly recorded in Book _____
of Deeds at page _____.

Ex-Officio Recorder

BY _____

Deputy

Fee: \$
Mail to:

STATE OF IDAHO) ss.

COUNTY OF CUSTER

On this 8th day of APRIL in the year
94, before me, a Notary Public, personally appeared

JACK HORTON

known or identified to me to be the person whose name is

subscribed to the within instrument as the attorney in fact of

DAN SIEGEL and acknowledged to

me that he subscribed the name of DAN SIEGEL

hereto as principal, and his (her) own name as attorney in fact.

Patsy Kindt
Notary Public
Residing at Challis, Idaho
Commission expires: 3/12/98

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NOV 18 1996

WARRANTY DEED

FOR VALUE RECEIVED, SIEGEL-HORTON ASSOCIATES, a Partnership, the Grantor, does hereby Grant, Bargain, Sell and Convey unto LOST PEAKS RANCH, INC., an Idaho Corporation, the Grantee, whose current address is c/o DANIEL P. MULICK, HC 86, Box 4115, Mackay, ID 83251, the following described premises, in Custer County, Idaho, to-wit:

TOWNSHIP 9 NORTH, RANGE 21 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

Section 29: SW $\frac{1}{4}$ SW $\frac{1}{4}$.
Section 30: Lot 1.
Section 31: Lot 1, 2, N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$.
Section 32: N $\frac{1}{2}$ NW $\frac{1}{4}$.

SUBJECT TO Ditch and Water Agreement dated May 1, 1964, between Anderson Ranches, Inc. and Ovanda Coates, a widow, recorded July 31, 1964, in Book 6, Bonds and Agreements, Page 152, validated by Judgment in Book 5 of Judgments, Page 551, records of Custer County, Idaho.

ALSO SUBJECT TO Mortgage dated June 25, 1993, from Siegel-Horton Associates, a Partnership comprised of Dan Siegel and Jack Horton, to Lola Louise Coates, securing the payment of \$275,000.00 and interest, recorded July 6, 1993, as instrument No. 204287, records of Custer County, Idaho.

ALSO SUBJECT TO Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the premises or by making inquiry of persons in possession thereof.

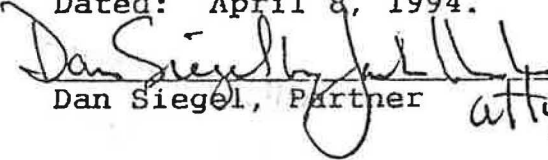
ALSO SUBJECT TO Easements, claims of easement or encumbrances which are not shown by the public records.

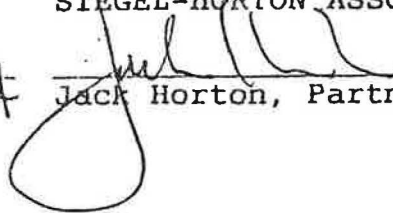
ALSO SUBJECT TO Levies and assessments of Big Lost River Irrigation District, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, its successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that they are free from all incumbrances save and excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho, and that it will warrant and defend the same from all lawful claims whatsoever.

Dated: April 8, 1994.

SIEGEL-HORTON ASSOCIATES


Dan Siegel, Partner

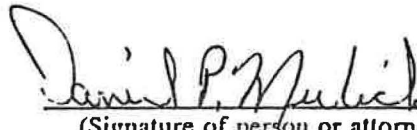

Jack Horton, Partner

4. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

5. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



(Signature of person or attorney mailing the form)
Daniel P. Mulick

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NOV 18 1996

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on 11th day of April, 19994, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

Chief, Natural Resources Division	U.S. Dept. of Justice
Office of the Attorney General	Env. and Nat. Resources
State of Idaho	550 West Fort St., Box 33
P. O. Box 44449	Boise, ID 83734
Boise, ID 83711-4449	

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

Hand Delivered

LOLA L. COATES

4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

Chief, Natural Resources Division	U.S. Dept. of Justice
Office of the Attorney General	Env. and Nat. Resources
State of Idaho	550 W. Fort St., Box 33
P. O. Box 44449	Boise, ID 83734
Boise, ID 83711-4449	

VERIFICATION

(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of Custer

DANIEL P. MULICK, PRES. ^{LOST PEAKS RANCH, INC.}, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.

Lost Peaks Ranch Inc
Daniel P. Mulick Pres
Signature of person filing form
Daniel P. Mulick

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on April 8, 1994.
(Insert Date)

James A. Bennett
Notary Public for Idaho
Residing at: Challis, Idaho
My Commission expires: 1-21-99

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NOV 18 1996

☒ **CONSENT TO SUBSTITUTION OF PARTY**

My name is _____

LOST PEAKS RANCH, INC.

My address is _____

c/o DANIEL P. MULICK, PRESIDENT

HC 86, BOX 4115

5536 OLD CHILLY ROAD

MACKAY, ID 83251

My phone number is: _____

Work (208) 588-3023

Home _____

The name and address of the party who I wish to be substituted for are:

LOLA L. COATES

STAR ROUTE

MACKAY, ID 83251

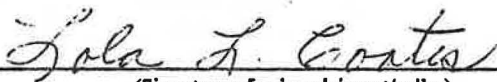
I am the new claimant/purchaser of 34-10232, 34-00335, 34-00336, _____ and 34-00337

(Insert each water right number)

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my *Substitution*. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

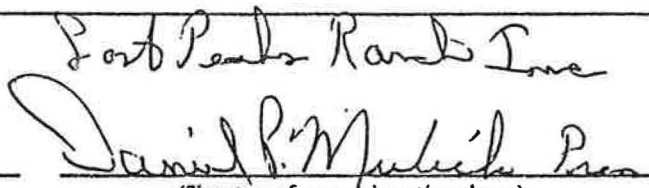
Copy of Warranty Deed

Copy of Director's Report - Proposed Claims



(Signature of prior claimant/seller)

Lola L. Coates



(Signature of new claimant/purchaser)

Daniel P. Mulick

☐ **ATTORNEY OF RECORD COMPLETING FORM**

My name is _____

I am the attorney of record for _____

(Identify party/claimant)

My address and phone number are _____

RECEIVED
APR 13 1994
Department of Water Resources
Adjudication Bureau

MAY 25 1994

Department of Water Resources
Eastern District Office

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.

Case No. 39576

STANDARD FORM 3

The State of Idaho, ex rel. R. Keith
Higginson in his official capacity as
Director of the Idaho Department
of Water Resources,

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

Petitioner,

CONSENT TO SUBSTITUTION OF
PARTY

vs.

The United States; the State of Idaho; and
all Claimants to the Use of Water From
the Snake River Basin Water System,

Respondents.

34-10232
- 00335 } modified blank
- 336 } and "A" records.
- 337 } ss 5-20-94

INSTRUCTIONS FOR USE

This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

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NOV 18 1996

Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) where a water right recommendation is not before the court.

As used in this form, the term "prior claimant/seller" means any person who, pursuant to I.C. § 42-1409(2), (3) and (6), filed a notice of claim asserting the right to the use of water or on whose behalf the right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of a "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The *Substitution* shall be filed by the new claimant/purchaser.

Check either the *Change in Address* or *Consent to Substitution of Party* box and fill in the requested information. A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here.

Follow the instructions on the form or the court will not accept it for filing. The Verification and the Certificate of Mailing must be completed.

The standard form may be obtained from the Idaho Department of Water Resources and the court. You must provide a copy of this form to each party, or to their legal counsel, in any subcase in which you are a party.

☒ **CHANGE IN ADDRESS**

My name is _____

I am the claimant of _____

I have filed an objection/response to the following water right(s) _____

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

AJ0749NP
No. A34-00337

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

DATE: 05/20/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOST PEAKS RANCH INC C/O DANIEL P MULICK PRESIDENT 5536 OLD CHILLY RD HC 86 BOX 4115 MACKAY ID 83251 (208) 588-3023	06/01/1917	IRRIGATION STOCKWATER	05-01 10-15 10-16 04-30	3.20 CFS 0.02 CFS	
TOTAL DIVERSION:					3.20 CFS	
CONSUMPTIVE USE:						1000.00 AFA

Water Source: SPRING
HOWELL SPRING

Tributary to: SINKS
SINKS

Stage: DECREED

Point(s) of Diversion: T09N R21E S32 NWENW Lot01(SWNWNW) Lot02(NESWNW) Lot02(SWSWNW) CUSTER County
S32 NWSENW CUSTER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
09N	21E	29	:																	40.0
09N	21E	30	:																01-40	40.0
09N	21E	31	:	40		40				40	01-40	02-40		40						240.0
09N	21E	32	:							40		40								80.0
TOTAL ACRES																			400.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: CUSTER

Non-Irrigation Uses: INCIDENTAL STOCKWATERING FOR 400 HEAD RANGE CATTLE

Other Rights: 34-00335, 00336

Remarks: P/D PRIVATE DITCH
SF3 OWNERSHIP CHANGE, COATES TO LOST PEAKS RANCH INC, REC'D
04/13/1994 SS.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 34

Field Inspection Flag:
Presumption Flag: D

MICROFILMED
NOV 18 1996

AJ0749NP
No. 34-00337

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

DATE: 05/20/94
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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOST PEAKS RANCH INC C/O DANIEL P MULICK PRESIDENT 5536 OLD CHILLY RD HC 86 BOX 4115 MACKAY ID 83251 (208) 588-3023	06/01/1917	IRRIGATION STOCKWATER	05-01 10-15 10-16 04-30	3.20 CFS 0.02 CFS	
TOTAL DIVERSION:					3.20 CFS	

D LOLA L. COATES
STAR RT.
MACKAY ID 83251
(208) 588-2812

Water Source: SPRING
HOWELL SPRING

Tributary to: SINKS
SINKS

Stage: DECREED

Point(s) of Diversion: T09N R21E S31 NWNENW Lot01(SWNWNW) Lot02(NESWNW) Lot02(SWSWNW) CUSTER County
S31 NWSENW CUSTER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
09N	21E	29	:					:					:				28	:					:	28.0	
09N	21E	30	:					:					:					:				01-37	:	37.0	
09N	21E	31	:	40		23		:	16		01-04		:					:					:	83.0	
09N	21E	32	:					:	25		40		:					:					:	65.0	
																						TOTAL ACRES	:	213.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: CUSTER

Non-Irrigation Uses: STOCKWATER 400 HEAD CATTLE

Other Rights: 34-00335, 00336

Conditions of Approval:

- N01 - THE APPROPRIATOR IS ENTITLED TO THE AMOUNT OF WATER DESCRIBED
- ABOVE FOR STOCKWATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE
- DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED ABOVE.
- N02 - THE PORTION OF THIS RIGHT FOR STOCKWATER PURPOSES MAY BE
- DIVERTED SO LONG AS THE AMOUNT OF WATER DIVERTED AT THE POINT OF
- DIVERSION FOR STOCKWATER PURPOSES DOES NOT CONSTITUTE
- UNREASONABLE WASTE AND DOES NOT CONFLICT WITH THE PUBLIC
- INTEREST, AS DETERMINED BY THE DIRECTOR.

Remarks: USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 6.09 CFS, A TOTAL COMBINED ANNUAL

NOV 18 1996
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AJ0749NP
No. 34-00337

IDAHO DEPARTMENT OF WATER RESOURCES
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Remarks: CONSUMPTIVE USE VOLUME OF 532.5 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 213 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.:34-00335, 34-00336.
SOURCES FOR THIS RIGHT ARE: HOWELL SPRING TRIBUTARY TO SINKS
SPRING TRIBUTARY TO SINKS

Dates: Exam Made Date: 08/29/1990 Verified Date:

Misc: Water District Number: 34 Field Inspection Flag:
Presumption Flag:

Comments: Date: 04/16/1992 User-ID: DCARLSON Subject: NOTICE OF ERROR
ADDED STOCKWATER OUTSIDE IRR SEASON
CHANGED TOTAL DIV RATE IN REMARKS

Date: 05/20/1994 User-ID: SSHERMAN Subject: OWNERSHIP CHANGE
SF3 OWNERSHIP CHANGE, COATES TO LOST PEAKS RANCH INC, REC'D
04/14/1994.

Audit: 05/20/94 SSHERMAN

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NOV 18 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 23, 1994

LOST PEAKS RANCH INC
C/O DANIEL P MULICK PRESIDENT
5536 OLD CHILLY RD
HC 86 BOX 4115
MACKAY ID 83251

RE: Snake River Basin Adjudication (SRBA)
Custer County - Claims #34-10232, 34-00335,
34-00336 and 34-00337

Dear Claimant:

IDWR has received your notice of the change in ownership of the above-referenced water right claims. Our records have been changed accordingly.

Yours truly,

Idaho Department of Water Resources
Adjudication Bureau

SO:region

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