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Documents

In File

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-17770
Date Received: 11/30/1988
Receipt No: C003674
Received By: _____NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW1. Name: CHARLES W. FAWCETT 208-377-2079
Address: 11505 THOMAS DR.
BOISE, ID 83709

OR

Name: KATHLEEN M FAWCETT 208-377-2079
Address: 11505 THOMAS DR.
BOISE, ID 83709

2. Date of Priority: JUN 01, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	03E	28		SE	SE		VALLEY

5. Description of diverting works:
WELL, APPROX. 125' DEEP, PUMP, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	03E	28	SE	SE		DOMEST	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:
LOT 2, BLOCK 1, MC LEOD AND EDWARDS WAGON WHEEL SUBD. #2.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

51

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Identification No. A65-17770
Date Received 11-23-88
Receipt Number 0003674

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.**

RECEIVED

NOV 23 1988

Department

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) CHARLES W. or KATHLEEN M. FAWCETT Phone (208) 377-2079

Mailing Address 11505 THOMAS DR., BOISE, IDAHO Zip 83709

2. Date of Priority (Only one per claim) app. 6/1/74 Month/Day/Year

3. Source of water supply (Check one) (☒) Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 16N Range 3E

Section 28, E 1/2 of - - 1/4 of - - - 1/4, Govt. Lot - - -, BM.,

County of Valley (see legal at 14)

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. pump (size unknown); well casing, app. 125-foot depth, pipe to residence.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For domestic purposes from 1/1 ^{Month/Day} to 12/31 ^{Month/Day} amount .04CFS (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic: 1 household served

MICROFILMED

SEP 28 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 16N Range 3E

Section 28, E $\frac{1}{4}$ of 1/4 Govt. Lot --- B.M.,

County of Valley for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any ---

11. In which county (ies) are lands listed above as place of use located? Valley

12. Do you own the property listed above as place of use? Yes x No ---

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

None

14. Remarks: Legal: Lot 2, Block 1, McLeod and Edwards Wagon Wheel

Subdivision No. 2

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court --- Decree Date --- Plaintiff vs Defendant ---

If applicable provide IDWR Water Right Number ---

16 Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 ---

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Charles W. Fawcett Date 11/22/88

Date ---

For Organizations: I do solemnly swear or affirm that I am ---

of --- Title --- that I have signed the foregoing

document in the space below as --- of --- Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent --- Date ---

Title and Organization ---

State of Idaho/or Idaho) SS.

County of Ada)

Subscribed and sworn (or affirmed) before me this 22nd day of November 19 88

SEAL

Notary Public Srinagathuta

Residing at Boise, Idaho

My Commission Expires 8/15/94

Last Name FAWCETT Ident No. ---

Copies: White-State, Yellow-Microfilm

SEP 28 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

get you to
your place
these

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Fawcett

CLAIM IDENT. NO.

A65-17770

DATE RECEIVED

11-23-88

CK #

AMOUNT \$

0003674

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO
6. Are the water uses appropriate for the form? The short form is limited
to domestic and stockwater uses with direct diversion. All claims that
include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A
- Is the consumptive use correct? ☒ YES ☐ NO N/A
9. Are the non-irrigation uses listed properly? If this claim is on the
short form, and more than one domestic use is listed, single owner-
ship must be stated. If not under single ownership, see
Adjudication Memo # 4. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO
12. Is the ownership of p.u. checked? ☒ YES ☐ NO
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO
14. If required, are remarks correct? (If the claimant does not own
the place of use, authority for filing the claim must be
explained in the remarks.) ☒ YES ☐ NO N/A
15. Is the basis of the claim indicated? ☒ YES ☐ NO
16. If the claimant requested a monthly docket sheet, is payment enclosed?
(If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A
17. Is the claim signed by the claimant, and is the signature appropriate?
Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the
identification number been entered? ☒ YES ☐ NO N/A
22. Should this claim be data entered? ☒ YES ☐ NO

Claim checked by:

Rat

Date:

4/2/90

Claim must be returned to claimant:

(Yes)

(No)

Claimant must be notified of modifications:

(Yes)

(No)

Receipt Prepared by:
Claim data entered by:
Sent to claimant by:

[Signature]
[Signature]
[Signature]

Date:

Date:

Date:

Checked by:

Date:

Comments:

MICROFILMED

SEP 28 1997

DATE: 12/03/97
PAGE: 1

Comments: Date: 10/03/1997 User-ID: AJU4-JSH Subject: DOMESTIC 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.

AJ0749NP
No. R65-17770

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

DATE: 12/03/97
PAGE: 2

=====
Comments: Date: 10/03/1997 User-ID: AJU4-JSH Subject: DOMESTIC 1 HOME UPDATE
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 12/03/97 KWATERS

AJ5809NP
No. R65-17770

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/20/97
PAGE: 7

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES W FAWCETT	~~06/01/1974~~	DOMESTIC	01-01 12-31 ✓	0.04 CFS	✓
C	KATHLEEN M FAWCETT 11505 THOMAS DR ✓ BOISE ID 83709 (208) 377-2079	10/19/77		TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE ✓

Point(s) of Diversion:

T16N R03E S28

SESE ✓

VALLEY County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE								
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
16N	03E	28	:																	:
			:																	:

POU County: VALLEY

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A65-17770 A65-17794 R65-17794

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP RP 001750010020 T

Add EXP remark JO1

Dates: Exam Made Date:

Verified Date: →

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: ~~Date: 03/18/1997~~ User-ID: CORR3 Subject: COPIED FROM REMARKS
LOT 2, BLOCK 1, MC LEOD AND EDWARDS WAGON WHEEL SUBD. #2.

delete

Date: 10/03/1997 User-ID: AJU4-JSH Subject: DOMESTIC 1 HOME UPDATE

AJ5809NP
No. R65-17770

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/20/97
PAGE: 8

=====

Comments: Date: 10/03/1997 User-ID: AJU4-JSH Subject: DOMESTIC 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 03/18/97 CORR3 10/02/97 AJU4-JSH

WATER RIGHT NUMBER - A65-17770

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
FAWCETT

CHARLES W.

1 - 11505 THOMAS DR.

2 -

3 -

CITY- BOISE

STATE- ID ZIP- 83709

PHONE - 208-377-2079

FAWCETT

KATHLEEN M

1 - 11505 THOMAS DR.

2 -

3 -

CITY- BOISE

STATE- ID ZIP- 83709

PHONE - 208-377-2079

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
06/01/1974 ERROR IN REGION J - BENEFICIAL USE+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
GROUNDWATER+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

16N 03E 28 SE SE (85) VALLEY

+ - - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 01/01 12/31 0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040 0.0+ - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

16N 03E 28 SE SE 43 DOMESTIC (85) VALLEY

+ - - DIVERSION MEANS - WELL, APPROX. 125' DEEP, PUMP, PIPE

+ - - NON-IRRIGATION USE - DOMESTIC, 1 HOUSE

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +
LOT 2, BLOCK 1, MC LEOD AND EDWARDS WAGON WHEEL SUBD. #2.+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - DECREE DATE - +
00/00/0000

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+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+
                                     -COMMENTS-
                                     NO COMMENTS FOUND

```

RP001750010020
DATA ENTRY
ENTERED _____
CHECKED _____ 74129

VERIFIED
JUL 26 1992

CERTIFIED
FEB 27 10 13
WATER EXAMINER

PROOF
MAY 4 1 1992