

No Color
Documents
In File

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: A63-18119
Date Received: 8/28/1989
Receipt No: W005107
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BARRY G. FITZGERALD 208-376-2624
Address: 10340 LAHONTAN DR.
BOISE, ID 83709

AND/OR

Name: HELEN J. FITZGERALD 208-376-2624
Address: 10340 LAHONTAN DR.
BOISE, ID 83709

2. Date of Priority: AUG 10, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	01E	14	SW	NW			ADA

5. Description of diverting works:
160'X6" WELL, 3/4HP SUBMERSIBLE 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		
STOCKWATER	04/01	11/01	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/2 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	01E	14	SW	NW	STOCK DOMEST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:
PART OF TOWN & COUNTRY ESTATES SUBDIV.

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 _____

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

Identification No. _____
Date Received _____
Receipt Number _____

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.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) BARRY G. & HELEN J. FITZGERALD Phone (208) 376-2624

Mailing Address 10340 LAHONTAN DR., BOISE, IDAHO Zip 83709

2. Date of Priority (Only one per claim) 8/10/72 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 03N Range 01E

Section 14 1/4 of SW 1/4 of NW 1/4, Govt. Lot _____, BM.,

County of ADA

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. 160 FT. DEEP WELL, 6" WELL CASING, 3/4 HP SUBMERSIBLE PUMP, CONNECTED TO HOUSE BY 1 1/2" PIPE

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

For DOMESTIC purposes from JANUARY 1 to DECEMBER 31 amount 0.04 (cfs)
(Both dates are inclusive)

For STOCKWATER purposes from APRIL 1 to NOVEMBER 1 amount 0.02

7. Total quantity claimed 0.06 (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 HOME; 2 HEAD OF RANGE CATTLE

MICROFILMED

AUG 31 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: 03N Range 01E

Section 14, SW 1/4 of NW 1/4, Govt. Lot _____, B.M.,

County of ADA 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? ADA

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

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 _____

By signing I/We acknowledge reading the notice on the back of this claim form.

I/We wish to receive for a small annual fee monthly copies of the docket sheet.

YES _____ NO ☒

16. Signature (s) _____

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) [Signature] Date 8/26/89

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

of _____, that I have signed the foregoing
document in the space below as _____ of _____

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 _____ }
County of TF } SS.

Subscribed and sworn (or affirmed) before me this 28th day of Aug 19 89

SEAL

Notary Public [Signature]

Residing at TF

My Commission Expires 5/94

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

AUG 31 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.

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 63-18119

NAME & ADDRESS: BARRY G FITZGERALD
HELEN J FITZGERALD
11257 W HIGH ROCK DR
BOISE ID 83709

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 08/10/1972

POINT OF DIVERSION: T03N R01E S14 SWNW Within ADA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	04-01 11-01	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within ADA County
T03N R01E S14 SWNWDOMESTIC Within ADA County
T03N R01E S14 SWNW

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

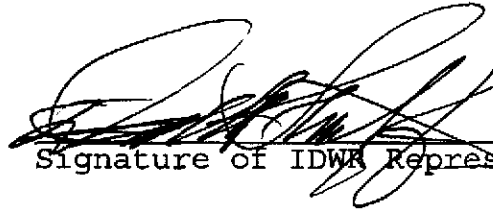
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 2 RANGE CATTLE
PARCEL NO. R1580870150
PROPERTY ALSO KNOWN AS LOT 8, BLK 2, COUNTRY ESTATES #3.

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED:

4/05/99

A handwritten signature in black ink, appearing to be "D. J. [unclear]", written over a horizontal line.

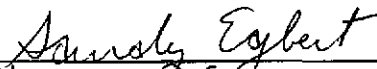
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4-15-99 I mailed the original
and copies of this form to the following persons, 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. One Copy to:
Each party in the subcase, or attorney of record:

BARRY G FITZGERALD
HELEN J FITZGERALD
11257 W HIGH ROCK DR
BOISE ID 83709
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form



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

DIRK KEMPTHORNE
GOVERNOR

March 29, 1999

KARL J. DREHER
DIRECTOR

BARRY G AND HELEN J FITZGERALD
11257 W HIGH ROCK DR
BOISE ID 83709

RECEIVED

APR 01 1999

Re: Snake River Basin Adjudication (SRBA)
Adjudication Claim #63-18119
Change of Address

Department of Water Resources

Dear Claimants:

*no word changed,
NAP prepared. ps 4-1-99*

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by April 12, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right(s) referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

208-376-2624
Telephone No.

return
to sender

fee due 50¢

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

PRESORTED
FIRST CLASS



IMPORTANT WATER RIGHT INFORMATION

only WR
63-18119
BARRY G FITZGERALD
HELEN J FITZGERALD
10340 LAHONTAN DR
BOISE ID 83709

FITZ340 837092017 1A98 08 11/09/98
FITZGERALD
11257 W HIGH ROCK DR
BOISE ID 83709
FORM 3547

U.S. POSTAL SERVICE
PS FORM 3547

83709-8424 85



AJ0749NP
No. 63-18119

TOTAL DIVERSION: 0.060 CFS

Tributary to:

ADA County

T03N R01E S14
SUNW

Place of use Legal Description for: STOCKWATER

[illegible]

place of use Legal Description for: DOMESTIC

[illegible]

POU County: ADA

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

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.

Stockwater, 2 Range Cattle
Parcel No. R1580870150
Property also known as Lot 8.
Country Estates #3-

Date:	Exam Made Date:	Verified Date:	Objection Filed Date:

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

AJ0749NP
No. 63-18119

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

DATE: 04/01/99
PAGE: 2

Comments: Date: 04/01/1999 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit: 04/01/99 SSHERMAN

AJ0749NP
No. R63-18119

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

DATE: 05/27/98
PAGE: 2

Audit: 05/27/98 CHALKER

AJ5809NP
No. R63-18119

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/98
PAGE: 77

Comments: Date: 02/19/1997 User-ID: CORR4 Subject: COPIED FROM REMARKS
PART OF TOWN & COUNTRY ESTATES SUBDIV.

Audit: 02/19/97 CORR4

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

06/08/91 02:41:18
PAGE 1

AJ5808NP
(00-26)

WATER RIGHT NUMBER - A63-18119 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (D) NUMBER -
+ - - - - LAST NAME - - - - + + - FIRST NAME - - - - + + - - - - ADDRESS - - - - -

*** C - CURRENT OWNER ***
FITZGERALD BARRY G.
1 - 10340 LAHONTAN DR.
2 -
3 -
CITY- BOISE STATE- ID ZIP- 83709
PHONE - 208-376-2624
1 - 10340 LAHONTAN DR.
2 -
3 -
CITY- BOISE STATE- ID ZIP- 83709
PHONE - 208-376-2624

+ - - - - PRIORITY DATE - - - + + - - - - REGION - - - + + - - - - STAGE - - - + + - - - - STATUS - - - +
08/10/1972 14 WESTERN J - BENEFICIAL USE

+ - - - - SOURCE - - - - + + - - - - TRIBUTARY - - - - + + - - - -
GROUNDWATER

+ - - - - POINT OF DIVERSION - - - - - STREAM INDEX (BLANK IF NO INDEX CODE)
TWN RNG SEC TRACT LOT RFLG COUNTY DIVERSION RATE DIVERSION VOLUME

03N 01E 14 SW NW (1) ADA WATER USE PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

+ - - - - TOTAL DIV. RATE - - - + + - - - - TOTAL DIV. VOLUME - - - + + - - - - TOTAL DIV. CAPACITY - - - + + - - - - TOTAL CONSUMPTIVE USE - - - + + - - - - KW USAGE - - - +
0.060

+ - - - - PLACE OF USE - - - - - DESCRIPTION COUNTY
TWN RNG SEC TRACT LOT ACRES CODE 04 STOCKWATER (1) ADA
03N 01E 14 SW NW 04 STOCKWATER (1) ADA
03N 01E 14 SW NW 43 DOMESTIC

+ - - - - DIVERSION MEANS - 160'X6" WELL, 3/4HP SUBMERSIBLE PUMP, PIPE
+ - - - - NON-IRRIGATION USE - 0/1 HOUSE, S/2 RANGE CATTLE
+ - - - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - PART OF TOWN & COUNTRY ESTATES SUBDIV.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - NO OLD WATER RIGHT NUMBERS FOUND.

Verified By:
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

AUG 25 1991