



*Danny
Fischer*

2910000

*White
spot*

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MICROFILMED

OCT 22 1996

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: **A67-11012**
Date Received: 10/19/1989
Receipt No: W006441
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: DANNY FROSHIESAR 208-549-2354
Address: 1040 HAAS RD
WEISER ID 83672
OR
Name: BARBARA FROSHIESAR 208-549-2354
Address: 1040 HAAS RD
WEISER ID 83672
2. Date of Priority: DEC 14, 1974
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 11N | 06W | 26 | SW | SE | SW | | WASHINGTON |
5. Description of diverting works:
WELL AND PUMP
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 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	06W	26	SE	SW		DOMEST	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
SAND RIDGE PUMPING STATION

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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CIVIL CASE NUMBER: 39576

Identification No. Alg 7-11012
Date Received 10-19-89
Receipt Number W0006441

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

OCT 19 1989

Department of Water Resources
Western Regional Office

RECEIVED

DEC 13 1989

Department of Water Resources

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) DANNY OR BARBARA FROSHIESAR Phone (208) 549-2354

Mailing Address 1040 HAAS RD WEISER ID Zip 83672

2. Date of Priority (Only one per claim) 12/14/74 Month/Day/Year

3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 11 North Range 6 West
Section 26 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.,

County of Washington

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. Well for house & lawn 12/14/74 35'

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 0.04 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (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) 1 house

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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: 11 North Range 6 West
Section 26, 1/4 of 1/4, Govt. Lot , B.M.,
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? Washington
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 or Sand Ridge pumping station
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

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 ☒ 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) Barbara Traskusar Date 10/17/89
 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 Organization
of Title 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)

County of Washington) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 17th day of October 19 89

SEAL

Notary Public

Residing at Wilson Fork

My Commission Expires 12-5-93

Last Name Ident No.

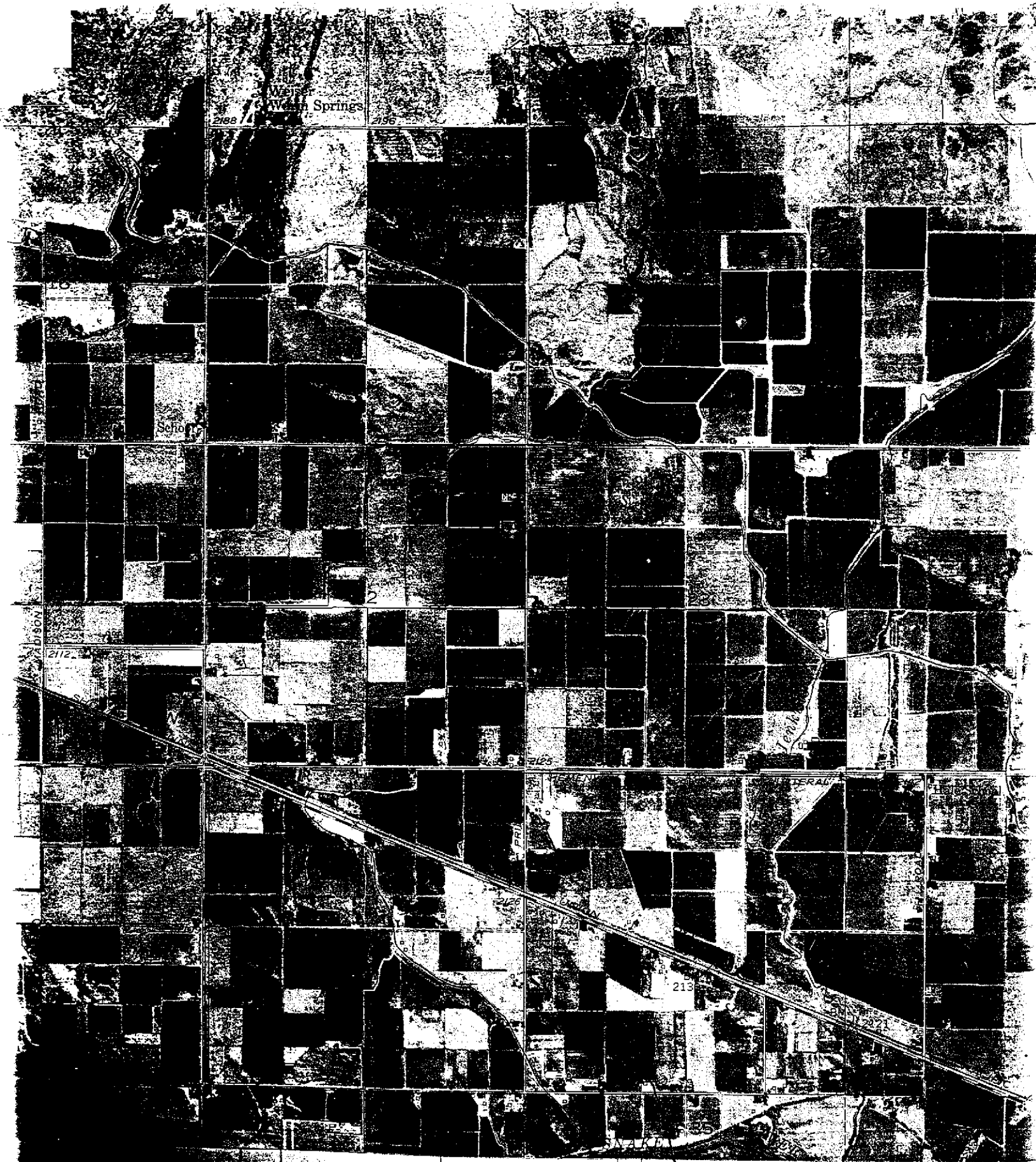
Copies: White-State, Yellow-Claimant

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.



*Danny
Frasca*

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ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME

Leshier, Danny or Barbara

CLAIM IDENT. NO.

AL67-11012DATE RECEIVED 10-19-89 RECEIPT # 000649 FEE PAID \$ 25 FEE REQ'D \$ 25

	YES	NO	Require Info?
1. Is the name and address complete with zip code?	<u>X</u>	<u>—</u>	*
2. Is a priority date entered?	<u>X</u>	<u>—</u>	*
Is the priority date acceptable in view of mandatory filing dates?	<u>X</u>	<u>—</u>	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	<u>X</u>	<u>—</u>	*
(b) Is a tributary to entered? (if required)	<u>N/A</u>	<u>X</u>	
4. Is the legal description of the p.d. sufficient?	<u>X</u>	<u>X</u>	*
5. Is there a description of the diverting works?	<u>X</u>	<u>—</u>	
6. Are the water uses appropriate for the form?	<u>X</u>	<u>—</u>	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.			
Is the period of use included?	<u>X</u>	<u>—</u>	
Is a quantity claimed for each use?	<u>X</u>	<u>—</u>	*
7. Is a total quantity claimed entered?	<u>X</u>	<u>—</u>	
8. If required is a consumptive use entered?	<u>N/A</u>	<u>X</u>	
Is the consumptive use correct?	<u>N/A</u>	<u>X</u>	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	<u>X</u>	<u>—</u>	*
If multiple domestic, is single ownership indicated?	<u>—</u>	<u>—</u>	
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>	<u>X</u>	*
11. Is (are) the county(ies) entered?	<u>X</u>	<u>—</u>	
12. Is the ownership of p.u. checked?	<u>X</u>	<u>—</u>	
13. Are other water rights listed or "none" indicated?	<u>X</u>	<u>—</u>	
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.)	<u>N/A</u>	<u>X</u>	
15. Is the basis of the claim indicated?	<u>X</u>	<u>—</u>	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed?	<u>N/A</u>	<u>X</u>	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found?	<u>—</u>	<u>—</u>	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim?	<u>N/A</u>	<u>X</u>	
(If yes, attach a proof report & complete number change)			
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid?	<u>N/A</u>	<u>X</u>	
19. Is the claim signed by the claimant, and is the signature appropriate?	<u>X</u>	<u>—</u>	*
20. Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	<u>—</u>	*
21. Was this claim filed on time?	<u>X</u>	<u>—</u>	*
(Check ML3 for date mailed-not all were mailed on the planned date)			
If no, was an extension of time filed & approved?	<u>—</u>	<u>—</u>	*
22. Is the fee enclosed correct?	<u>X</u>	<u>—</u>	*

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- | | YES | NO |
|--|--------------|--------------|
| 23. Is this claim being rejected and returned to claimant? | ~~X~~ | X |
| 24. Can this claim be data entered? | X | ~~X~~ |
| 25. Was claim modified? | — | — |
| If yes, do modifications require notification to claimant? | — | — |
- Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: LH Date 3-15-93
Claim data entered by: RMF Date 12-13-94

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: 4 1/2 missing on POD & POW

AJ0749NP
No. R67-11012

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

DATE: 09/08/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DANNY FROSHIESAR	12/14/1974	DOMESTIC	01-01 12-31	0.04 CFS	
C	BARBARA FROSHIESAR					
	1040 HAAS RD					
	WEISER ID 83672					
	(208) 549-2354					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T11N R06W S26

SWSESW

WASHINGTON County

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
11N 06W 26	:		:		:		:		:		:		:		:	
	:		:		:		:		:		:		:		:	

POU County: WASHINGTON

Non-Irrigation Uses: 1 HOME

Other Rights: SAND RIDGE PUMPING STATION

Remarks: EXP PARCEL NO. RP 11N06W267020

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 09/08/98 CWALKER

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-5-1997
PAGE: A-193

RIGHT NUMBER: 67-11012

NAME & ADDRESS: DANNY FROSHIESAR
BARBARA FROSHIESAR ✓
1040 HAAS RD
WEISER ID 83672

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 12/14/1974

POINT OF DIVERSION: T11N R06W S26 ✓ SWSESW ✓ Within WASHINGTON County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC DOMESTIC, 1 HOME ✓	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within WASHINGTON County
T11N R06W S26 ✓ SESW ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 11N 06W 267020

Verified by AR Date: 8-27

Verification Source: Alpha map



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

December 7, 1994

DANNY OR BARBARA FROSHIESAR
1040 HAAS RD
WEISER ID 83672

Re: Snake River Basin Adjudication (SRBA)
Washington County - Claim No(s): A67-11012

Dear Claimants,

We are returning your Notice of Claim to a Water Right filed for your property in Washington County. We are also enclosing Receipt No. W006441 in the amount of \$25.00, for the filing fees. We have noted a problem with your claim which requires your attention.

At Items #4 and #10, we do not have sufficient information to complete your legal description. I have enclosed a map of your area. Please mark the location of your home and well on this map and return it with the claim. I can then complete your legal description and process your claim.

Please return these documents to my attention by January 10, 1995, or late fees will apply. If we do not receive the documents by that date, we will assume you do not wish to continue the filing process and will begin the refund process of your filing fees. Do not hesitate to contact this office if you have any questions.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:state:tf
Enclosures:

Notice of Claim form
Receipt No. W006441
orthophotoquad map

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