

Bear Creek Falls

22

BM 4502

23

Rocky

Comfort

Flat

4514

Crooked

27

BM 4461

26

BM 4270

Paradise Flat

4652

34

35

Clifton Spring

P.O.U.

P/D

5045

BM 43

Co

4

3

2

5124

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OCT 05 1992

EXPENDITURE VOUCHER

AUDITOR USE

WHITE - State Auditor
 YELLOW - Remittance Advice
 PINK - State Auditor then Agency
 GOLDENROD - Agency Copy

STATE OF IDAHO
 Office of State Auditor

AGENCY USE

Date 01/04/92
Code 10000

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME:

DEPT. OF WATER RESOURCES
 TAX EXEMPT # X-107030-E-F20
 VALID THRU 1/94

Document No.	
Pre-Audit	Date
Warrant No.	

CHECK ONE:

() MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAY

TO

DOUGLAS J. FITZGERALD
 P.O. BOX 233
 EAGLE, ID 83616

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	7337	5831		REFUNDS DAF-10410 PER D. SILBAC 1/30/92	6.00 6.00	
TOTAL						6.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

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OCT 05 1992

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: A69-10410
Date Received: 1/28/1992
Receipt No: C009481
Received By: C623084

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DOUGLAS J FITZGERALD 208-939-8813
Address: PO BOX 333
EAGLE ID 83616

2. Date of Priority: JAN 1, 1921

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	03W	34	SE	SW	NE		ADAMS

5. Description of diverting works:
TWO STORAGE TANKS, WELL, PIPELINE

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	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 2 HOMES, STOCKWATER 40 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	03W	34	NE	SE		DOMEST	

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:
Domestic use is for 1 home.

15. Basis of Claim: BENEFICIAL USE

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

Identification No. A69-10410Date Received 8-14-89Receipt Number 6009481NOTICE 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. Department of Water ResourcesRECEIVED
AUG 14 1989

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) DOUGLAS J. FITZGERALD Phone () 9398813Mailing Address Box 333 FAYLE, Idaho Zip 836162. Date of Priority (Only one per claim) 01-01-21 Month/Day/Year3. 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 19N Range 3WSection 34, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.,County of AdamsAdditional points of diversion if any: two storage cmt5. 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 pump pumps to 2 storage tanks on my property

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 .04 (cfs)For Stockwater purposes from 1-1 (Both dates are inclusive) to 12-31 amount .047. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 2 households 40 head cattle

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OCT 05 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: 19N Range 3W

Section 34, 1/4 of _____ 1/4, Govt. Lot _____, B.M.,

County of Adams 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? Adams

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 _____

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) [Signature] Date 1-28-92
_____ Date _____

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 _____ } SS.

County of Ada }

Subscribed and sworn (or affirmed) before me this 28 day of January 1992

SEAL

Notary Public [Signature]

Residing at Boise ID

My Commission Expires June 10, 1994

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Clifton

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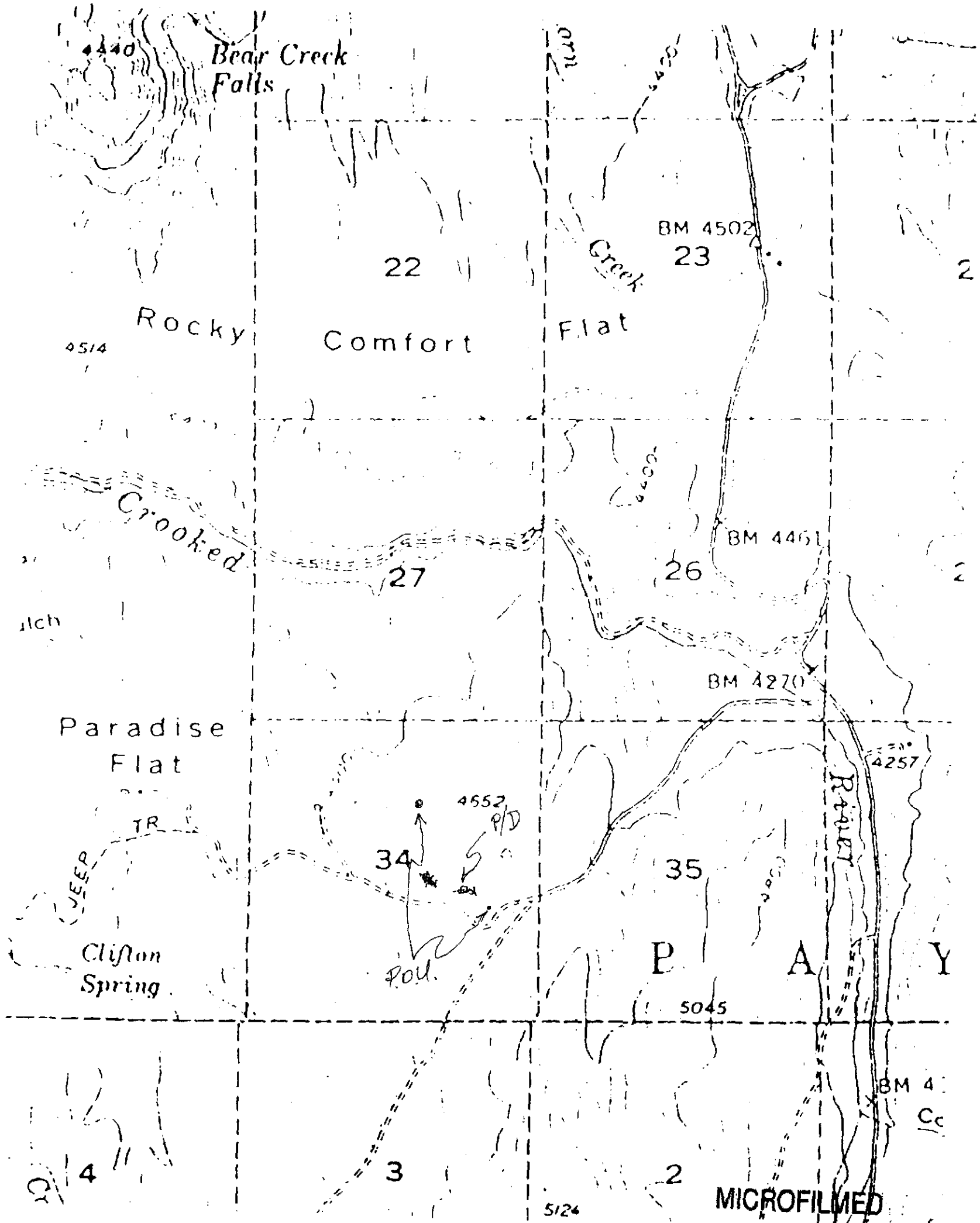
OCT 05 1992

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.



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OCT 05 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

Adams Co.

CLAIMANT'S NAME Fitzgerald CLAIM IDENT. NO. 469-10410

DATE RECEIVED 8-14-89 CK # 1865 AMOUNT \$ 71

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

Claim checked by: [Signature] Date: 8-14-89

Claim must be returned to claimant: ☒ (Yes) ☐ (No)

Claimant must be notified of modifications: ☐ (Yes) ☐ (No)

Receipt Prepared by: C Wong Date: 8-14-89

Claim data entered by: C Wong Date: 8-14-89 Checked by: _____ Date: _____

Sent to claimant by: _____ Date: _____

Comments: If 2 dom = Single Owner, Fee \$25 + \$50 Late

(Comm. Notice Mailed Feb. '88 to this name & address)

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OCT 05 1992

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

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DOUGLAS J FITZGERALD PO BOX 333 EAGLE ID 83616 (208) 939-8813	01/01/1921	STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31	0.04 CFS 0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T19N R03W S34 SESWNE ADAMS County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
19N	03W	34	:			S												S		:

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	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
19N	03W	34	:			D												D		:

POU County: ADAMS

Non-Irrigation Uses: 2 HOMES

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.

Remarks: EXP PARCEL NO. RP19N03W340200
STOCKWATER, 40 RANGE CATTLE

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

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

Audit: 12/02/98 LHARRIS

AJ0749NP
No. R69-10410

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

DATE: 11/09/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DOUGLAS J FITZGERALD PO BOX 333 EAGLE ID 83616 (208) 939-8813	01/01/1921	STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31	0.04 CFS 0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T19N R03W S34

SESWNE

ADAMS 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
19N 03W 34	:		:		:		:		:		:		:		:	
	:		:		:		:		:		:		:		:	

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

POU County: ADAMS

Non-Irrigation Uses: 2 HOMES

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.

Remarks: EXP ^{PN} RP19N03W340200

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 11/09/1998 User-ID: AWA~~NT~~JE Subject: COPIED FROM REMARKS
Domestic use is for 1 home. STOCKWATER 40 CATTLE

Audit: 11/09/98 AWA~~NT~~JE

EXP



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

PHILIP E. BATT
GOVERNOR

September 29, 1998

KARL J. DREHER
DIRECTOR

RE: Snake River Basin Adjudication (SNRA)
Water Right No. A69-10410

PARADISE FLATS SOCIETY
PO BOX 1231
EAGLE ID 83616

Gentlemen:

We have been advised you may be the new owner(s) of the property with the water right referenced above.

Before we can modify our records to reflect your new ownership of the water right referenced above, we need Form 42-248/42-1409(6) completed. This form is enclosed for your use. Please return the **form, documentation and proof of domestic use** to my attention at this office no later than **October 10, 1998**.

Please call this office toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

Anita L. Warntjes
Administrative Assistant
Adjudication Bureau

ALW

Encl: Form 42-248/42-1409(6)
Water Right Profile Report

AJ5856NP

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

DATE: FEB-12-1998
PAGE: A-163

RIGHT NUMBER: 69-10410

NAME & ADDRESS: DOUGLAS J FITZGERALD
PO BOX 333
EAGLE ID 83616

*Paradise Flats Society
PO Box 1231
Eagle ID 83616*

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 01/01/1921

POINT OF DIVERSION: T19N R03W S34 - SESWNE Within ADAMS County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.04 CFS
	DOMESTIC DOMESTIC 2 HOMES, STOCKWA	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within ADAMS County
T19N R03W S34 NESE

add 04 Stock

Place of use for STOCKWATER is same as DOMESTIC

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

Domestic use is for 1 home.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP19N03W340200

1 home + 1 historical cabin!

Verified by *[Signature]* Date: 9/24/98
Verification Source: *Cty db - plat map + parcel file*

WHITE - State Auditor
YELLOW - Remittance Advice
PINK - State Auditor then Agency
GOLDENROD - Agency Copy

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

Date	07/04/92
Code	123002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES
TAX EXEMPT # X-189030-E-920
VALID THRU 1/94

PAY

TO

DOUGLAS J. FITZGERALD
P.O. BOX 508
EAGLE, ID 83616

CHECK ONE:

☐ MISCELLANEOUS EXPENDITURE

☐ STATE CONTRACT

☐ PURCHASE ORDER

☐ MISCELLANEOUS ENCUMBRANCE REQUISITION

PAYMENT: ☐ PARTIAL ☐ FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 122	9337	8831		REFUNDS ASR-10410 PER D. EILBAC 1/30/92	6.00	
TOTAL						6.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

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OCT 05 1992

Date Head of Agency or Institution

State Auditor

REFUND REQUEST

Hold Until 3-16-92 To Fiscal 01-30-92

TO: Debbie Allen

THRU: Don Shaff

FROM: John Carlson

RE: Payor Douglas G. Fitzgerald

Address Box 333

Eagle, ID 83616

Initials/Date
Approved [Signature] 1-14-92 1-30-5

Approved _____

Claimant if NOT Payor —

Receipt # 6009481 Attached ✓

Amount \$ 71.25 6.00 ✓

W/R #(s) 0 A69-10410

Logged 04-01-91 adjusted by 1-30-5

Claim Location claimant attached

Extension Filed? Y/N NA again 1-7-92

Copy Attached? Y/N NA

Late Fees Paid? Y/N NA

Refund Generated By S.O.

Not Refunded as of 04-01-91 On Receipt # —

Reason for Refund No response, denied overpm.

Date of Last Correspondence 08-22-89

Data Base Modified? Y/N NA By _____ Date _____

REMARKS: Ada and Adams G. claims rec'd 8-14-89; Adams G. was late. Ltr sent by DVS asking for corrections + sending Ext. Reg. fm. No ext. filed, nothing returned.

- > 1-28-92 He'll send us \$. DVS said T/F 2-3. Doug met w/ Don
- > 1-30-92 Rec'd c.k. \$107.00. We owe him \$6.00 refund.

Should have been \$101

#	Fee	Late Fee	Total
<u>69-104063-26176</u>	<u>25</u>	<u>50</u>	<u>75</u>
<u>63-26176-10410</u>	<u>53</u>	<u>50</u>	<u>103</u>
			<u>178</u>
		<u>6009481</u>	<u>71</u>
			<u>\$101</u>

09/20/90

MICROFILMED

OCT 05 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 30, 1992

Spectra Productions
c/o Douglas Fitzgerald
P.O. Box 333
Eagle, ID 83616

RE: Snake River Basin Adjudication (SRBA)
Adams County - #A69-10410 & Ada County - #A63-26176
Receipt #C023084 - \$6.00

Dear Doug:

An overpayment of your filing fees occurred on your above claim in the amount of \$6.00. The refund process has been initiated with the State Auditor's Office, and you should receive your check in the near future.

I have enclosed your receipt referenced above as well as your file copies of your Ada County claim #A63-26176 and Adams County claim #A69-10410.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Donald V. Shaff'.

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:ref

Enclosure:

Receipt #C023084
Yellow File Copies A63-26176 & A69-10410

MICROFILMED

OCT 05 1992

Ada *Adam S*
TO: A63-26176, A69-not assigned A69-10410
FROM: D. Shaff *DR*
DATE: January 28, 1992
RE: Claim Filing Response

I worked with Doug Fitzgerald today to discuss and complete the filing of his two claims. The deferral option was discussed with him. He chose to complete filing the claims. Although we discussed two wells that he alledged were put in use for domestic purposes before November 1987, he did not file claims on those. The claim in Ada County for irrigation use in addition to domestic and stock water.

The total fees including late fees is \$178. He has paid \$71 confirmed by Receipt C009481 for adjudication claims leaving a balance of \$101. Fitzgerald said he would mail a check.

*1-30-92 ✓ rec'd for 107.⁰⁰ Will refund \$16.⁰⁰.
C023084*

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OCT 05 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 15, 1992

Douglas J. Fitzgerald
Box 333
Eagle, ID 83616

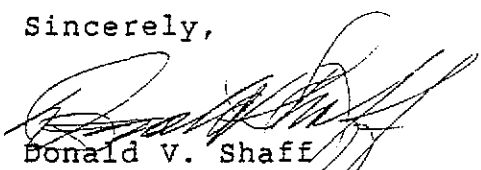
RE: Snake River Basin Adjudication (SRBA)
Adams County - Receipt #C009481, \$71.00

Dear Mr. Fitzgerald:

As stated in our letter to you of August 22, 1989, we have not received late fees on your water right claim, nor did you submit the Request for Extension which was sent to you in our August, 1989 letter. Therefore, the refund process has been initiated with the State Auditor's Office. You should receive your check in the near future.

You may reactivate your claim by paying the filing fee plus late fees received within one year.

Sincerely,


Donald V. Shaff
Manager, Adjudication Section

DVS:sf:ref

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 22, 1989

Mr. Douglas J. Fitzgerald
Box 333
Eagle, Idaho 83616

Re: Snake River Basin Adjudication SRBA
Adams County/Ada County

Dear Mr. Fitzgerald:

We are returning your Notices of Claim to a Water Rights filed for your property in Adams and Ada counties. We are also enclosing Receipt #C009481 in the amount of \$101.00, for the filing fees. We have noted some problems with your claim which we would like you to correct.

Dealing first with the claim for the Adams County property, Item #4 of the claim form requires a description of the Point(s) of Diversion to the nearest 40 acre parcel or preferably to the nearest 10 acre parcel. Two ways that you can get the legal for your property is to describe it yourself, or by submitting a detailed map with the claim.

In the first instance, you should plot the point of diversion on a U.S.G.S. (copy enclosed) or other land survey map noting the Township, Range and Section. Next, divide the section into four smaller squares or 160 acre parcels, divide the 160 acre parcel in which the Point of Diversion lies into four smaller squares or 40 acre parcels, and then divide the 40 acre parcel in which the Point of Diversion lies into four squares or 10 acre parcels. Starting with the smallest parcel in which the Point of Diversion lies, describe the location. In other words, the NE, NW, SW, or SE $\frac{1}{4}$ (10 acres) of the NE, NW, SW or SE $\frac{1}{4}$ (40 acres) of the NE, NW, SW or SE $\frac{1}{4}$ (160 acres) of Section, Township and Range. As an alternative, you might mark the location of your home on the enclosed map from which we can define the necessary legal description.

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Mr. Douglas J. Fitzgerald

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August 22, 1989

In Item #6 and #7, .4 cfs (about 180 gallons per minute) is a large diversion rate for the uses claimed. Perhaps you meant .04 cfs (about 18 gallons per minute).

Please indicate on Item #9 if the two households are in single ownership and the number and kind of stock.

At Item #10 you have failed to fill in the required information. In most domestic uses, the place of use has the same legal description as the point of diversion as listed in Item #4. If this is accurate for your situation, please enter the Township, Range, Section and $\frac{1}{4}$ / $\frac{1}{4}$ information and circle domestic and stockwater use to coincide with Item #6. If your place of use differs from your point of diversion, please enter the appropriate legal description.

Item #13 was left blank. If you do not have other water rights used at this location for domestic and stockwater, please enter "none". If other water rights are used, please enter the water right numbers or description of the water rights, here.

At Item #15, you indicated your basis of claim is beneficial use and posted notice, please clarify your basis of claim.

The notary public's verification of the signature of the claimant is a required element of the claim form. After you have obtained the notary public's verification of your signature at the bottom of the last page, we will be able to process this claim.

Also, your Notice of Claim form for Adams County was postmarked after the filing deadline for Adams County. This June 8, 1988, deadline was noted on the Commencement Notice you received. The statutes governing the adjudication provide that late fees be assessed to encourage prompt filing of the Notices of Claims. Idaho Code §42-1409(8) sets these fees at \$50.00 or 15% whichever is greater. The late fees applicable to your claim would be \$50.00. If you feel you have a compelling reason for not complying with this deadline you may request an extension of time and waiver of the fees. I have enclosed a form for your possible use in this matter.

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Mr. Douglas J. Fitzgerald

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August 22, 1989

The correct filing fee for this claim would be \$25.00, plus a possible \$50.00 late fee. You have paid \$71.00.

We are also returning your Notice of Claim to a Water Right filed for your property in Ada County. We have noted some problems with this claim as well, which we would like you to correct.

The form you have used is limited to domestic under single ownership and small stock water rights. Your claim shows more than one household and irrigation.

Please complete Form #42-1409(2) (form enclosed), sign the form, having your signature notarized and return it to this office at the attention of Celia Clemens. A set of instructions are enclosed for your use. If you will return the correct form before the September 8, 1989, deadline shown on the Notice you received for Ada County you will not be assessed a late filing fee.

If there are other uses of the water besides irrigation, please list them in Item #9. Describe fully the non-irrigation uses, i.e. for domestic give number of households served if single ownership. For stockwater give the type and number of livestock.

At Item #16(b) you indicated you wished to receive the docket sheet, however, the payment of \$7.50 was not enclosed. If you wish to receive the docket sheet please remit the fee indicated. If you do not wish to receive the docket sheet, please indicate that on the new form.

The correct filing fee for this claim cannot be calculated until your uses of water are clearly stated. The adjudication fee as recorded by Receipt #C009481 is not likely the proper fee for your Ada County and Adams County claims. If you want the docket sheet as indicated, that will be an additional \$7.50. We are unable to accept your claim for processing until we receive the correct filing fees.

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Mr. Douglas J. Fitzgerald

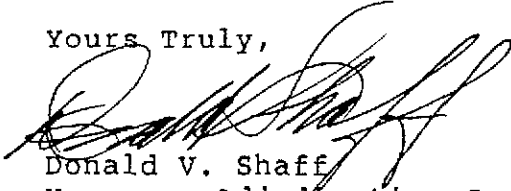
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August 22, 1989

From your remark on the Ada County claim, I would suggest you call this office or our Western Region Office (334-2190) for an appointment to obtain the technical assistance that will reduce your frustrations in securing the water right you believe you have developed.

Otherwise please return the completed documents and proper fees to this office at the attention of Celia Clemens.

Yours Truly,


Donald V. Shaff
Manager, Adjudication Section

DVS:mcc:state

Enclosures:

Notice of Claims (2)

Receipt #C009481

Long Form w/Instructions

Request for Extension

Photocopy-Topographic Map

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