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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 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: A67-07033
Date Received: 1/ 3/1990
Receipt No: W007358
Received By: _____

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

1. Name: MICHAEL ANTHONY FISK 208-253-4592
Address: BOX 275
COUNCIL ID 83612

OR

Name: BONNIE A FISK 208-253-4592
Address: BOX 275
COUNCIL ID 83612

2. Date of Priority: JUL 29, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	14	NE	SW	NW		ADAMS

5. Description of diverting works:
96-100' WELL, 6" CASING, PUMP & PIPELINE TO HOUSE, LAWN & GARDEN

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 W/LAWN & GARDEN

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	14	SW	NW		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:

15. Basis of Claim: LICENSE

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 _____

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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. A67-07033Date Received 1-3-90Receipt Number 2007358NOTICE OF CLAIM
TO A
WATER RIGHTRECEIVED
JAN 03 1990

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Department of Water Resources
Western Regional Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) FISK, MICHAEL R. & BONNIE A. Phone (208) 233-4582Mailing Address Box 275, Council, ID Zip 836122. Date of Priority (Only one per claim) 07/29/1969 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source4. Location of point of diversion is: Township 16N Range 01W
Section 14 NE 1/4 of SW 1/4 of NW 1/4, Govt. Lot _____, BM.,
County of ADAMS

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. DRILLED WELL, 96-100 FT DEPTH, 4" CASING, PUMP & PIPELINE TO HOUSE, LAWN, & GARDEN.

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

For DOMESTIC purposes from 01/01 ^{Month/Day} to 12/31 ^{Month/Day} amount 0.04 ^(cfs)For _____ purposes from _____ to _____ amount _____
(Both dates are inclusive)7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus

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9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) DOMESTIC HOUSEHOLD, LAWN, & GARDEN.

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 1W
Section 14, SW 1/4 of NN 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? ADAMS

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.
(X) None or _____

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 67-07033

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) X Michael D. Fisk Date Dec. 4, 1989
_____ Date _____

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

_____ Title
of _____, that I have signed the foregoing
Organization
document in the space below as _____ 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 ADAMS) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

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

SEAL

Notary Public Donna E. Sully

Residing at BOISE, ID

My Commission Expires 11/08/1994

Last Name Fisk Ident No. A67-07033 MICROFILMED

Copies: White-State, Yellow-Claimant

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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.

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR0743NP
(00-26)

Water Right Number - 67-07033 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + - - - - First Name - - - - + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
FISK
MICHAEL ANTHONY
1 -
2 -
3 -
City- COUNCIL State- ID Zip-
Phone -

+ - - Priority Date - - + - - - - Region - - - + - - - Stage - - - + - - - Status - - - +
07/29/1969 14 WESTERN L - LICENSE
+ - - Source - - - - + - - - - Tributary - - - - - +

GROUNDWATER

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - Diversion Name Diversion Rate Diversion No.
Twn Rng Sec Tract Lot Rflg County

16N 01W 14 SW NW (3) ADAMS

+ - - - - - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume

| Code | Description | Period From | Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|----------------|------------------|
| 01 - IRRIGATION | | 04/15 | 10/31 | 0.020 | 4.00 |
| 43 - DOMESTIC | | 01/01 | 12/31 | 0.030 | 0.60 |

+ - - Total Div. Rate - + - - - Total Div. Volume - + - - - Total Div. Capacity - +
0.050 4.60

+ - - - - - - - - - - - - - - - Place of Use - - - - - Description County

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|-------------|
| 16N | 01W | 14 | SW NW | | 1.0 | 01 | IRRIGATION | (3) ADAMS |

Total Acres: 1.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - - - Remarks - - - - - No Remarks found.

+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - No Old Water Right Numbers found.

+ - - - - - - - - - - - - - - - Conditions of Approval - - - - - No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + - - - - Decree Defendant - - - + - - - Decree Date - +
00/00/0000

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67-07033

No Comments Found

+ - - Audit Fields - 07/01/85 05/01/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

| Field | Value | Field | Value | Field | Value |
|-------------------|--------------|------------------|--------------|------------------|-------|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - |
| Exam to S.O. Date | - 00/00/0000 | Verified Date | - 07/01/1985 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - |
| Licensed Date | - 02/01/1979 | Appl Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 00/00/0000 | Presumption Flag | - | | |

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ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME

Fish, Michael A. & Bonnie

CLAIM IDENT. NO.

ALB 7-07033DATE RECEIVED 1-3-90 RECEIPT # 0001358 FEE PAID \$ 25.00 FEE REQ'D \$ 25.00

| | 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?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | <u>X</u> | <u> </u> | * |
| 3. (a) Is a source entered? | <u>X</u> | <u> </u> | * |
| (b) Is a tributary to entered? (if required) N/A <u>X</u> | <u> </u> | <u> </u> | |
| 4. Is the legal description of the p.d. sufficient? | <u>X</u> | <u> </u> | * |
| 5. Is there a description of the diverting works? | <u>X</u> | <u> </u> | |
| 6. Are the water uses appropriate for the form?
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. | <u>X</u> | <u> </u> | * |
| 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? N/A <u>X</u> | <u> </u> | <u> </u> | |
| Is the consumptive use correct? N/A <u>X</u> | <u> </u> | <u> </u> | |
| 9. Are the non-irrigation uses listed showing # of homes, hd. of stock?
If multiple domestic, is single ownership indicated? | <u>X</u> | <u> </u> | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | <u>X</u> | <u> </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.) N/A <u>X</u> | <u>X</u> | <u> </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? N/A <u> </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>X</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? N/A <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. | <u> </u> | <u> </u> | |
| 18. If the claimant requested a monthly docket sheet, was the
fee paid? N/A <u>X</u> | <u> </u> | <u> </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?
(Check ML3 for date mailed-not all were mailed on the planned date)
If no, was an extension of time filed & approved? | <u>X</u> | <u> </u> | * |
| 22. Is the fee enclosed correct? Exempt <u> </u> | <u>X</u> | <u> </u> | * |

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| | YES | NO |
|---|---------------|---------------|
| 23. Is this claim being rejected and returned to claimant? | <u> </u> | <u> X </u> |
| 24. Can this claim be data entered? | <u> X </u> | <u> </u> |
| 25. Was claim modified? | <u> </u> | <u> X </u> |
| 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: JH Date 4-13-94
Claim data entered by: JH Date 6-20-94

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: Original license for domestic & 1 acre irrig.

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 67-7033 Priority July 29, 1969 Amount 0.05 cfs

THIS IS TO CERTIFY, that Michael Anthony Fisk
of Council, Idaho, has complied with the terms and conditions of Permit
No. 67-7033 issued pursuant to Application for Permit dated July 29, 1969
and has submitted proof to the Department of Water Administration on August 18, 1970
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.05 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.03 cfs for domestic from Jan. 1 to Dec. 31 (both dates inclusive)

Amount 0.02 cfs for irrigation from April 15 to Oct. 31 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.05 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW 1/4 NW 1/4 Sec. 14, Twp. 16 N, Rge. 1 W, B. M.

in the county of Adams; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 4.0 acre feet per year ~~or~~

~~for irrigation use~~ for irrigation use and 0.6 acre feet per year for
domestic use with the total amount not to exceed

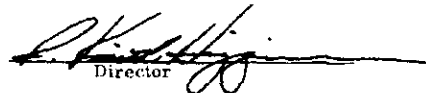
Description and location of place of use: 4.6 acre feet per year.

| TWP. | RANGE | SEC. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|----------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 16 N | 1 W | 14 | | | | | | 1 | | | | | | | | | | | 1 |
| | | | | | | | | X | (domestic use) | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated 1

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 4 day of
February, 19 72.


Director

67-7033