

02/01/2005

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 79-10376

NAME AND ADDRESS: JOHN W FALES  
2801 GRANDVIEW DR  
CLARKSTON WA 99403

THELMA FALES  
2801 GRANDVIEW DR  
CLARKSTON WA 99403

SOURCE: SPRING TRIBUTARY: PACKERS CREEK  
SPRING TRIBUTARY: UNNAMED STREAM

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1900

POINT OF DIVERSION:

T30N R01W S2 NENENE Lot 1 Within IDAHO County  
T30N R01W S2 NENWNE Lot 2 Within IDAHO County  
T30N R01W S2 NWSWNE Within IDAHO County  
T30N R01W S2 SESWNE Within IDAHO County  
T30N R01W S2 SENWSE Within IDAHO County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 1/01 12/31           | 0.040 CFS       |

PLACE OF USE: STOCKWATER Within IDAHO County

|                          |                          |
|--------------------------|--------------------------|
| T30N R01W S02 Lot 1 NENE | T30N R01W S02 Lot 2 NWNE |
| T30N R01W S02 SWNE       | T30N R01W S02 NWSE       |
| T30N R01W S02 SWSE       |                          |

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

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: A79-10376  
Date Received: 11/18/1988  
Receipt No: C003451  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JOHN W. FALES 208-758-3406  
Address: 2801 GRANDVIEW DRIVE  
CLARKSTON, WA 99403

AND

Name: THELMA FALES 208-758-3406  
Address: 2801 GRANDVIEW DRIVE  
CLARKSTON, WA 99403

2. Date of Priority: DEC 31, 1900

3. Source: SPRING Trib. to: PACKERS CREEK  
SPRINGS SALMON RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 30N      | 01W   | 2       | SE     | SW     | NE     |     | IDAHO  |
|          |       |         | NE     | SE     | NE     |     | IDAHO  |
|          |       |         | SW     | SE     | NE     |     | IDAHO  |
|          |       |         | SE     | NW     | SE     |     | IDAHO  |
|          |       |         | SE     | SW     | SE     |     | IDAHO  |

5. Description of diverting works:  
PIPES, CISTERN, TROUGHS, PONDS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| 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:  
S/50 CATTLE

A79-10376

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Date: 04/25/89

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OCT 06 1992

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 30N      | 01W   | 2       | SW     | NE  |     | STOCK |       |
|          |       |         | SE     | NW  |     | STOCK |       |
|          |       |         | NW     | SE  |     | STOCK |       |
|          |       |         | SW     | SE  |     | STOCK |       |

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
DORIS M. CLARK, 8611 IDOWILD ROAD, CHARLOTTE, NC 28212 PART  
OWNER

15. Basis of Claim: BENEFICIAL USE

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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 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: A79-10376  
Date Received: 11/18/1988  
Receipt No: C003451  
Received By: \_\_\_\_\_

**RECEIVED**

APR 20 1989

*no \$ enclosed KSL* NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: JOHN W. FALES 208-758-3406  
Address: 2801 GRANDVIEW DRIVE  
CLARKSTON, WA 99403

AND

Name: THELMA FALES 208-758-3406  
Address: 2801 GRANDVIEW DRIVE  
CLARKSTON, WA 99403

2. Date of Priority: DEC 31, 1900

3. Source: SPRING TRIB. to: PACKERS CREEK  
SPRINGS SALMON RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 30N      | 01W   | 2       | SE     | SW     | NE     |     | IDAHO  |
|          |       |         | NE     | SE     | NE     |     | IDAHO  |
|          |       |         | SW     | SE     | NE     |     | IDAHO  |
|          |       |         | SE     | NW     | SE     |     | IDAHO  |
|          |       |         | SE     | SW     | SE     |     | IDAHO  |

5. Description of diverting works:  
PIPES, CISTERN, TROUGHS, PONDS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| 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:  
S/50 CATTLE

A79-10376

Page 1

Date: 03/29/89

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10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|-----|----|-----|-----|-------|-------|
| 30N      | 01W   | 2       | SW  |    | NE  |     | STOCK |       |
|          |       |         | SE  |    | NW  |     | STOCK |       |
|          |       |         | NW  |    | SE  |     | STOCK |       |
|          |       |         | SW  |    | SE  |     | STOCK |       |

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:  
NONE

14. Remarks:

DORIS M. CLARK, 8611 IDOWILD ROAD, CHARLOTTE, NC 28212 PART  
OWNER

15. Basis of Claim: BENEFICIAL USE

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OCT 06 1992

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 Riv Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not ☒ wish to receive and p 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): John W. Sales Date: 4/6/89  
Shelma Sales Date: 4/6/89

State of Idaho )  
County of Nezperce ) SS.

Subscribed and sworn (or affirmed) before me this 6 day

of April 19 87

Harold Anderson  
Notary Public

Seal

Residing at Lewiston ID

My Commission Expires 3-2-94

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. A79-10376  
Date Received 11/14/88  
Receipt Number 0003451

NOTICE OF CLAIM  
TO A  
WATER RIGHT

RECEIVED

NOV 14 1988

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

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) John W. E. Thelma C. Fales Phone (509) 758-3406

Mailing Address 2801 Grandview Drive, Clarkston, WA Zip 99403

2. Date of Priority (Only one per claim) 1900 Month/Day/Year

3. Source of water supply (Check one) ( ) Groundwater or Other ( ) (a) \_\_\_\_\_

which is tributary to (b) See Add Sheets for Items 3 Thru 9 Name or kind of source

4. Location of point of diversion is: Township \_\_\_\_\_ Range \_\_\_\_\_

Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM.,

County of \_\_\_\_\_

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. \_\_\_\_\_

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

For \_\_\_\_\_ purposes from \_\_\_\_\_ Month/Day to \_\_\_\_\_ Month/Day amount \_\_\_\_\_ (cfs)

(Both dates are inclusive)

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_

7. Total quantity claimed \_\_\_\_\_ (cfs)

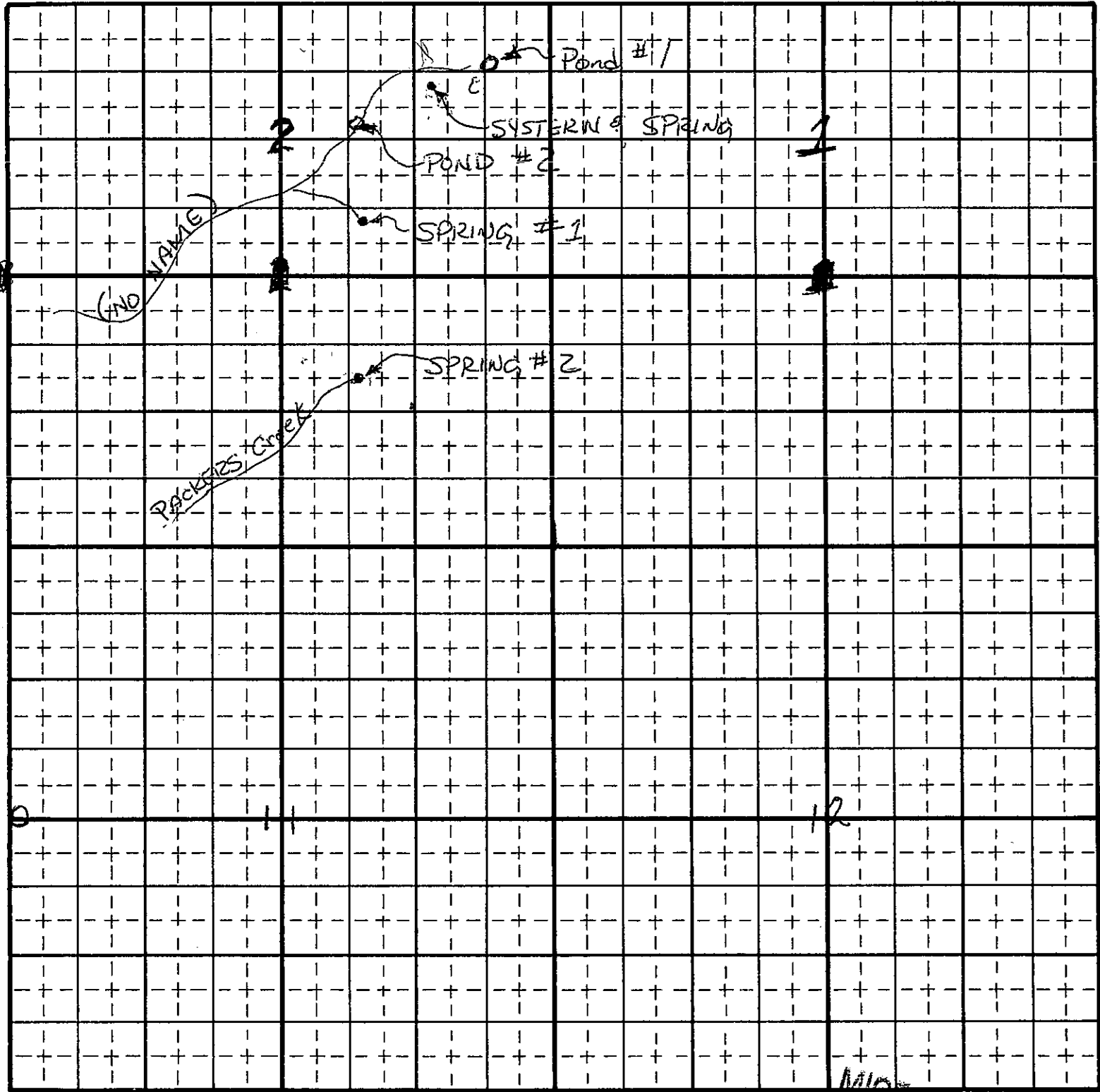
8. Total consumptive use claimed is de minimus

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

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OCT 6 1992

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale:  $\frac{1}{4}$  inches equals 1 mile



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OCT 06 1992

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |       |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|
|     |     |     | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |
| 30N | 1W  | 2   |        |       |       |       |        |       |       |       |        |       |       |       |        | S     |       |       |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |

SE ADDED INFORMATION Attached

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

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.

Springs 1 & POND #2, Pond #1, Systems Spring 2 or None ( )

14. Remarks: Doris M. Clark, 8611 IDOWild Road, Charlotte, NC 28212

Part Owner

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_

Decree \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_

Plaintiff vs Defendant \_\_\_\_\_

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

Signature of Claimant (s) Ghilma Falls Date 10/19/88

John W. Falls Date 10/20/88

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

of \_\_\_\_\_ Title \_\_\_\_\_, 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 \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or Ida )

County of Asotin ) SS.

Subscribed and sworn (or affirmed) before me this 19<sup>th</sup> day of Oct 19 88

SEAL

Notary Public Mary J. McCombs

Residing at Clarkston, Oct 9 1992

My Commission Expires 10-15-92

Last Name McCombs Ident No. AC EN DMT 641R6 Copies White-State, Yellow-Claimant

10/27/1988

## SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME FalesCLAIM IDENT. NO. 479-10376DATE RECEIVED 11/14/88CK # 277AMOUNT \$ 300.00

1. Is the name and address complete with zip code? . . . . . YES ☒ NO ☐
2. Is a priority date entered? . . . . . YES ☒ NO ☐

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? . . . . . YES ☒ NO ☐
- (b) Is a tributary to entered? (if required) . . . . . 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? . . . . . 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? . . . . . YES ☒ NO ☐
11. Is (are) the county(ies) entered? . . . . . Idaho ☒
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.) . . . . . N/A ☒
15. Is the basis of the claim indicated? . . . . . YES ☒ NO ☐
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) . . . . . YES ☒ NO ☐
- Has the claim been signed, sealed, and dated by a notary? . . . . . YES ☒ NO ☐
- Was this claim filed on time, or was an extension granted? . . . . . YES ☒ NO ☐
- Is the fee enclosed correct? . . . . . Exempt ☒
- If this claim is based on an existing water right, has the identification number been entered? . . . . . N/A ☒
- Should this claim be receipted and data entered? . . . . . YES ☒ NO ☐

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OCT 26 1992

Claim checked by: RRTComments: Confusing

AJ5856NP

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

DATE: FEB-13-1998

PAGE: A-472

RIGHT NUMBER: 79-10376

NAME & ADDRESS: JOHN W FALES  
THELMA FALES  
2801 GRANDVIEW DRIVE ✓  
CLARKSTON WA 99403

SOURCE: SPRING SPRINGS  
TRIBUTARY: PACKERS CREEK  
SALMON RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 12/31/1900

POINT OF DIVERSION: T30N R01W S02  
SESWE  
NESENE  
SWESENE  
SENEWE  
SESEWE  
Within IDAHO County

PURPOSE AND  
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
STOCKWATER S/50 CATTLE 01-01 12-31 0.04 CFS

PLACE OF USE: STOCKWATER ✓ Within IDAHO County  
T30N R01W S02 ✓ SWNE ✓ SENW ? NWSE ✓ SWSE ✓

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

DORIS M. CLARK, 8611 IDOWILD ROAD, CHARLOTTE, NC 28212 PART  
OWNER

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 30N01W020010

Lots 1, 2 SE2NE4, N2SE4,  
SW4SE4 b/w road

NOTE: Can't verify map with legal described  
in claim - needs claimant contact  
for field exam.

See circled 1/4th - not sure  
on this one.

8203-29-98

Fales.

A19-10370

#3 I have combined the various sources "springs trib. to Salmon River" because Salmon River is the first named stream based on your info. (see Instruc. Item #3)

#4 Check over points of diversion to make sure all are included. Also verify locations with your map.

#10 Based on your map, it appears that the place of use is not completely described

MICROFILMED

OCT 06 1992

Helen Harrington's notes to  
claimant for info - 1<sup>st</sup> review of  
claims.