

02/01/2005

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

RIGHT NUMBER: 79-10378
NAME AND ADDRESS: THELMA FALES
2801 GRANDVIEW DR
CLARKSTON WA 99403

JOHN W FALES
2801 GRANDVIEW DR
CLARKSTON WA 99403

SOURCE: TELCHER CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 12/31/1947

POINT OF DIVERSION:

T31N R01W S8 SENE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	4/30 11/01	0.040 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T31N R01W S08	SENE	T31N R01W S08	NESE
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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: A79-10378
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, 1947

3. Source: TELCHER CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
31N	01W	8	NE	SE	NE		IDAHO
		9	NE	NW	SW		IDAHO

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	04/30	11/01	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_HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
31N	01W	8	SE	NE		STOCK	
			NE	SE		STOCK	
		9	SW	NW		STOCK	
			NW	SW		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:

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
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 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
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RECEIVED

APR 20 1989

no \$ enclosed KSL

Department of Water Resources

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ACQUIRED UNDER STATE LAW

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		9	NE		NW		SW		IDAHO

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S/50 HEAD

A79-10378

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
31N	01W	8	SE		NE		STOCK	
			NE		SE		STOCK	
		9	SW		NW		STOCK	
			NW		SW		STOCK	

11. Place of use in counties: IDAHO

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

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14. Remarks:

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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. Fales Date: 4/6/89
Shelma Fales Date: 4/6/89

State of Idaho)
County of Nezperce) SS.

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

of April 19 89

Harold A. 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

Ident. Number

A 79-10378

Date Received

11/14/88

Receipt Number

C003451

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 14 1988

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) John W & Thelma C. Fales Phone (509) 758-3406Mailing Address 2801 Grandview Drive, Clarkston, WA Zip 994032. Date of Priority (Only one (1) per claim) 19473. Source of water supply (a) Telcher Creek
which is tributary to (b) Salmon River4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 1W Range 31 Section 8, NE 1/4 of SE 1/4 of NE 1/4,
1W 31 9 NE NW SW
Govt. Lot _____ B.M., County of IDAHOending point is: Township 1W Range 31 Section 8, NE 1/4 of NE 1/4 of NE 1/4,
1W 31 9 NE NW SW
SE 1/4, Govt. Lot _____ B.M., County of IDAHO
SE5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.Piping is used to divert water into troughs

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

sect 8 For Stock water purposes from April to Nov amount .02 or _____

sect 9 For Stock water purposes from April to Nov amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) stockwater 50 HD

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	

Total number of acres irrigated _____

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

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.
_____ or None (X)

14. Remarks:

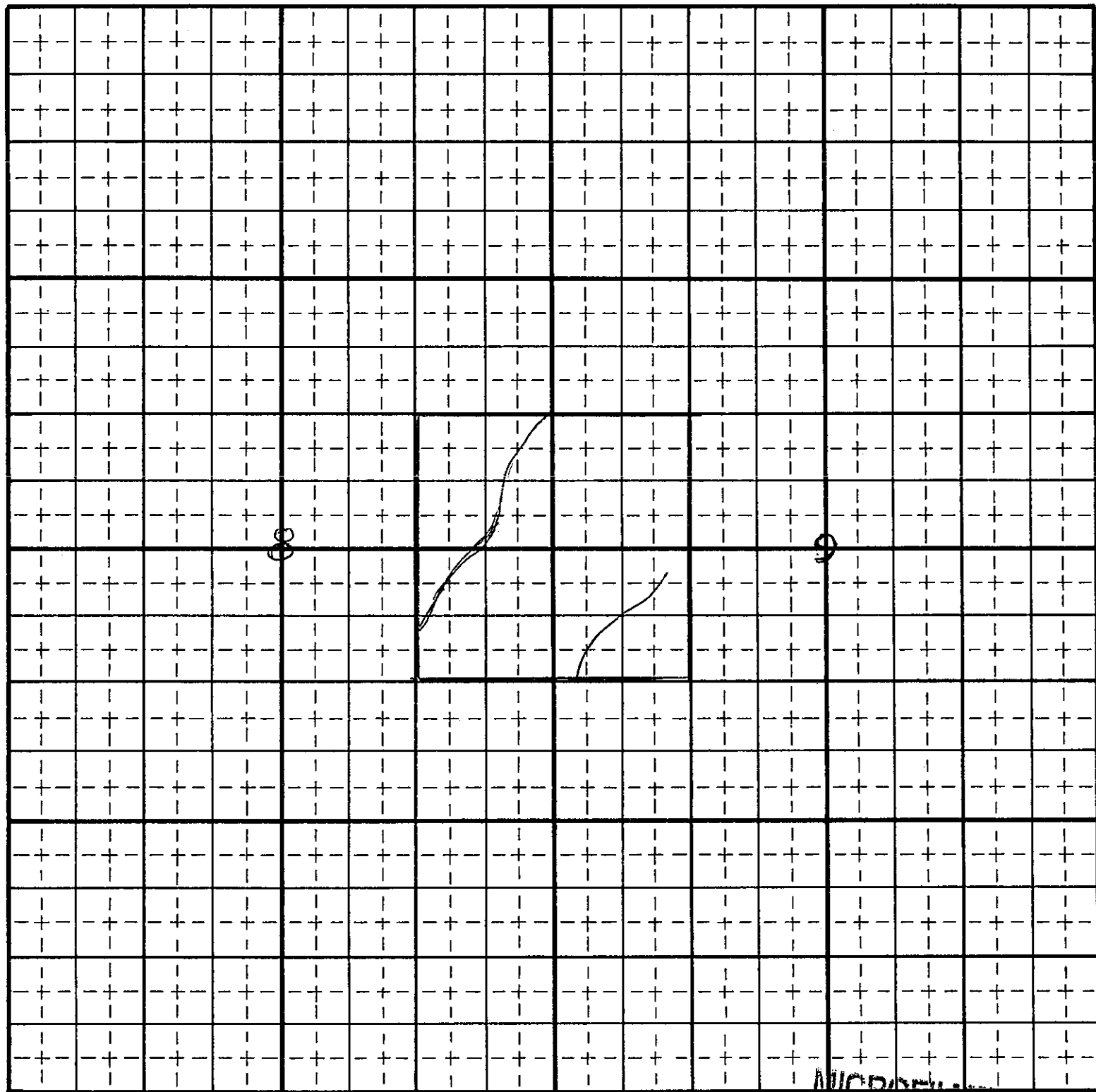
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OCT 06 1992

Last Name FALES Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



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OCT 06 1992

Last Name FALES

Ident No. _____

Copies: White-State, Yellow-Claimant

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) John W. Fales Date Nov 8, 1988
Thelma C. Fales Date Nov 8, 1988

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 _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Nezperce) SS.

Subscribed and sworn (or affirmed) before me this 8 day of November 19 88

SEAL

Notary Public Harold A. Anderson

Residing at Lewiston ID 83501

My Commission Expires 3-2-94

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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OCT 06 1992

Last Name Fales Ident. Number _____

Copies White-State, Yellow-Claimant

10/27/1988

SRBA CLAIMS RECEIVING CHECK

CLAIMANT'S NAME FalesCLAIM IDENT. NO. A99-10378DATE 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? instream NA ☒

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? YES ☒ NO ☐

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 \$25 ☒

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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Claim checked by DAF OCT 06 1992

Comments:

AJ0749NP
No. R79-10378

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

DATE: 11/12/98
PAGE: 1

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME
C THELMA FALES 12/31/1947 STOCKWATER 04-30 11-01 0.04 CFS
C JOHN W FALES 2801 GRANDVIEW DR CLARKSTON WA 99403 (208) 758-3406 TOTAL DIVERSION: 0.04 CFS

Water Source: TELCHER CREEK Tributary to: SALMON RIVER Stage: BENEFICIAL USE
Point(s) of Diversion: T31N R01W S08 S09 NESENE NENWSW IDAHO County IDAHO County

Place of use Legal Description for: STOCKWATER

		NE				NW				SW				SE											
		NENE		NUNE		SUNE		SENE		NENW		NUNW		SWNW		SESW		NENE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
31N	01W	8	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
31N	01W	9	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	

POU County: IDAHO

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.

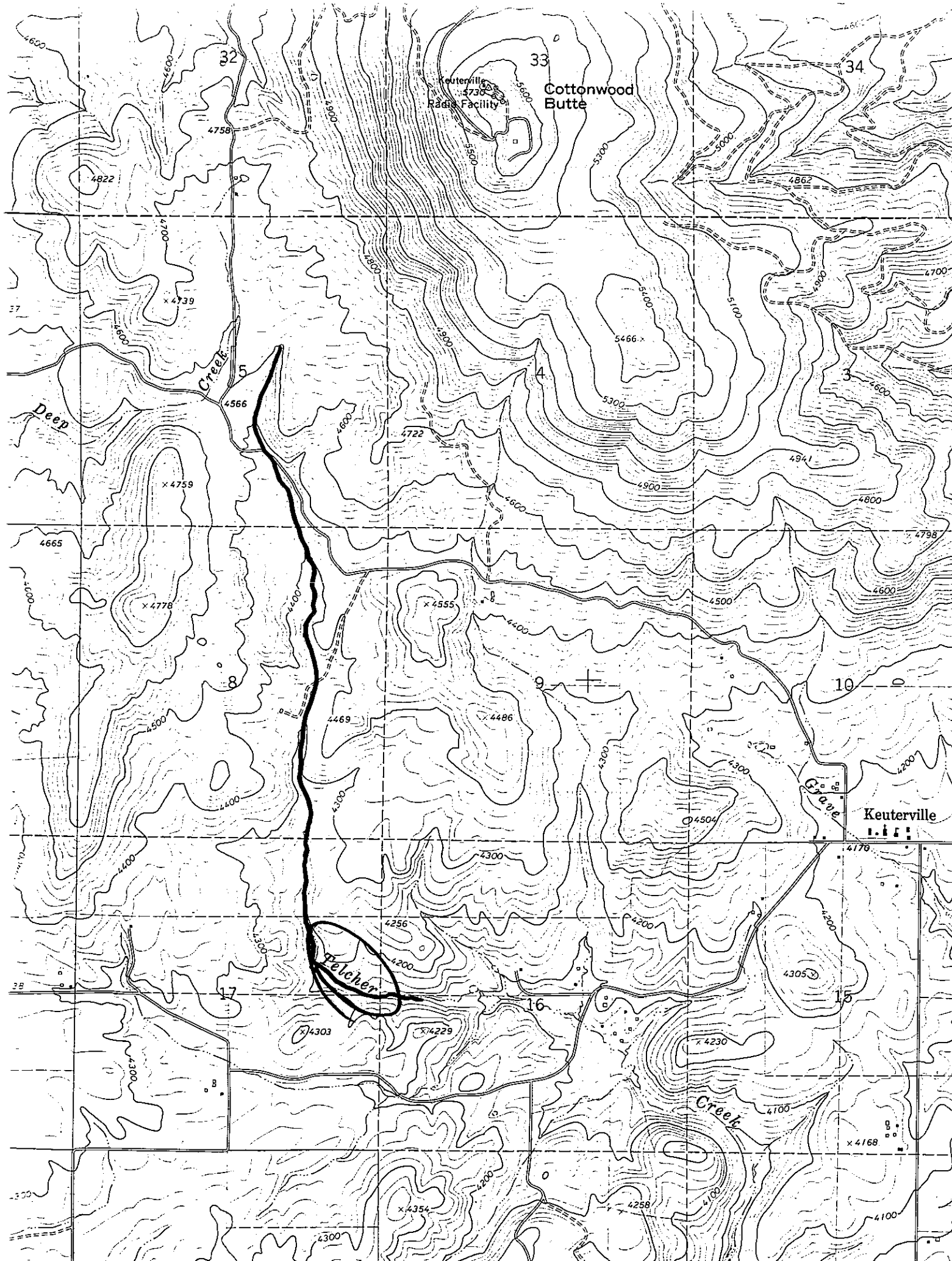
Remarks: EXP STOCKWATER, 50 RANGE CATTLE
PARCEL NOS: 31N01W081810 & 31N01W093610

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

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

Audit: 11/12/98 CWALKER

NOTE: Telcher Creek does not run thru Sec. 9-18. Digging is used to divert water to troughs, then in order to get the water from Sec. 8 (where Telcher Creek runs) to Sec. 9 would likely have to pump uphill. M. 1 contact who filed claim the



DATE: 04/14/98
PAGE: 1

Remarks:	EXP	STOCKWATER, 50 HEAD - <i>Range Cattle</i> PARCEL NOS: 31N01W081810 & 31N01W093610 ✓	Exam Made Date:	Verified Date:	04/14/1998	Objection Filed Date:
Misc:		Water District Number:		Field Inspection Flag:		
				Presumption Flag:		
Audit:		04/14/98 SSHERMAN				

AJ5856NP

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

DATE: FEB-13-1998

PAGE: A-473

RIGHT NUMBER: 79-10378

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

SOURCE: TELCHER CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 12/31/1947

POINT OF DIVERSION: T31N R01W S08 NESENE Within IDAHO County
S09 NENWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER S/50_HEAD	04-30 11-01	0.04 CFS

PLACE OF USE: STOCKWATER ✓ Within IDAHO County ✓
T31N R01W S08 ✓ SENE ✓
S09 ✓ SWNW ✓ NESE ✓
NWSW ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 31N 01W 08 1810
RP 31N 01W 09 3610

RP 09-24-98

Fales.

A79-10378

#5 Need completion of diverting works.

#10 Need clarification on place of use. All $\frac{1}{4}$ $\frac{1}{4}$ s need to be listed.

Open Harrington's note
to claimants in 1st
review of claim.

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OCT 06 1992