

02/01/2005

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

RIGHT NUMBER: 79-10379
NAME AND ADDRESS: THELMA FALES
2801 GRANDVIEW DR
CLARKSTON WA 99403

JOHN W FALES
2801 GRANDVIEW DR
CLARKSTON WA 99403

SOURCE:

TRIBUTARY:

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 12/31/1947

POINT OF DIVERSION:

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
3/31 11/01

QUANTITY
0.020 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T31N R01W S08

SENE

T31N R01W S08

NESE

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: A79-10379
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: UNNAMED STREAM Trib. to: TELCHER CREEK
SPRINGS TELCHER CREEK

4. Point of Diversion:

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

5. Description of diverting works:
PIPING FROM POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	03/31	11/01	0.020		

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/60 CATTLE

A79-10379

Page 1

Date: 04/25/89

MICROFILMED
OCT 6 1992

10. Place of Use:

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

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 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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OCT 06 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

RECEIVED

APR 20 1989

Ident. Number: A79-10379
Date Received: 11/17/1988
Receipt No: 0003451
Received By: JHT

No \$ enclosed
Department of Water Resources

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

1. Name: JOHN W. FALES
Address: 2801 GRANDVIEW DRIVE
CLARKSTON, WA

208-758-3406

99403

AND

Name: THELMA FALES
Address: 2801 GRANDVIEW DRIVE
CLARKSTON, WA

208-758-3406

99403

2. Date of Priority: DEC 31, 1947

3. Source: UNNAMED STREAM
SPRINGS

Trib. to: TELCHER CREEK
TELCHER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
31N	01W	8	SE	NE	SE		IDAHO
			NE	SE			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	03/31	11/01	0.020		

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/60 CATTLE

A79-10379

Page

1

Date: 11/17/88

MICROFILMED
OCT 06 1992

10. Place of Use:

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

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): John W. Fales Date: 4/6/89
Debra 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 Anderson
Notary Public

Seal

Residing at Lewiston Id

My Commission Expires 3-2-91

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

A79-10379

Date Received

11/14/88

Receipt Number

C003451

RECEIVED

NOV 14 1988

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. Filing fee \$25

Department of Water Resources

RECEIVED

FEB 27 1989

no \$ enclosed KSV

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) Creek & Springs ~~1947~~ 19473. Source of water supply (a) (No Name) Creek & Springs
which is tributary to (b) Telcher Creek - Salmon River4. Location of point of diversion is: Township 31 N Range 1 WSection 8, 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____, B.M.,
NE 1/4 SE 1/4County of IDAHO

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. Piping and a Pond

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

(Both dates are inclusive) (cfs)
For Stockwater purposes from March to Nov amount .02

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .02 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) 60 cattle

MICROFILMED

OCT 16 1982

40. 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
31N	1W	8				X									X			

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 ☒ 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: Dorris M. Clark; 8611 IDOWILD Road; Charlotte, N.C. 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) _____

Date 10-19-88

Date 10/20/88

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)

County of Boater)

SS.

Subscribed and sworn (or affirmed) before me this _____

SEAL

Notary Public

Residing at

My Commission Expires

Last Name

Ident No.

day of

19 88

FILED

OCT 26 1988

10-15-92

Copies White-State, Yellow-Claimant

10/27/1988

SRBA CLAIMS RECEIVING CHECK

CLAIMANT'S NAME

Fales

CLAIM IDENT. NO.

79-10379

DATE RECEIVED

11/14/88

CK #

277

AMOUNT \$

300.00

1. Is the name and address complete with zip code?

YES

NO

2. Is a priority date entered?

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?

(b) Is a tributary to entered? (if required)

N/A

4. Is the legal description of the p.d. sufficient?

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?

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?

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?)

Has the claim been signed, sealed, and dated by a notary?

Was this claim filed on time, or was an extension granted?

Is the fee enclosed correct?

Exempt

\$25.00

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?

Claim checked by:

MICROFILMED

OCT 6 1992

Comments:

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

DATE: 04/14/98
PAGE: 1

NAME & ADDRESS

WATER USE

USE PERIOD
FROM TO

DIVERSITY

DIVERSION
VOLUME

SALES
SALES

2801 GRANDVIEW DRIVE
CLARKSTON WA 99403
(208) 758-3406

Tributary to: TELCHER CREEK
TELCHER CREEK

Stage: BENEFICIAL USE

T31N R01W S08

SENE

ENSE

IDAHO County

NY

13

	NE						NW					
T	NENE	NNNE	SWNE	SENE	:	:	NENW	NNNW	SWNW	SENW	:	:
R	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
S	-	-	-	-	-	-	-	-	-	-	-	-
BIN 01W 8 :	-	-	-	-	-	S	-	-	-	-	-	-

[illegible]

SE	NESE	NWSE	SWSE	SESE
Lt AC	Lt AC	Lt AC	Lt AC	Lt AC

PAU 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, 60 CATTLE
PARCEL NO. 31N01W081810✓

Dates: **Exam Made Date:**

Verified Date:

Objection Filed Date:

Misc:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 04/14/1998 User-ID: SSSHERMAN Subject: COPIED FROM REMARKS
DORIS M. CLARK, 8611 IDOWILD ROAD, CHARLOTTE, NC 28212

Audit: 04/14/98 SSHERMAN

AJ5856NP

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

DATE: FEB-13-1998

PAGE: A-474

RIGHT NUMBER: 79-10379

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

SOURCE: UNNAMED STREAM SPRINGS TRIBUTARY: TELCHER CREEK
TELCHER CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 12/31/1947

POINT OF DIVERSION: T31N R01W S08 SENE Within IDAHO County
NESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER S/60 CATTLE	03-31 11-01	0.02 CFS

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 31N01W08 1810

pp 03-24-98

Fales

A79-10379

#5 Desc. of diverting works.

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OCT 06 1992